PATTERNS OF POWER

Ireland Under the Union

The United Kingdom of Great Britain and Ireland

1801 — 1922

A case study in the Patterns of Power series

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Held as tested, not revealed

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FRONT MATTER

Preface and Outline

Front matter · how this study was made, the disciplines it holds itself to, and a map of its fourteen parts

The collaboration

This is a case study in the *Patterns of Power* series, applying the series' framework to Ireland under the Act of Union, from the Union's passage in 1800 and its entry into force on 1 January 1801 to the Anglo-Irish Treaty of December 1921 and the Free State that followed it. The framework is a lens for reading how any order of power is founded, dressed, and held: the floor of force beneath every order, the robe of doctrine laid over the floor to make the force cheap, the settlement that divides the spoils, the cost column in which each subject prices defection, the seam that manages the belief on which the whole depends, the default by which an elite coordinates without instruction, and — running through all of it — position logic, the proposition that rulers in like positions converge on like solutions because a position poses a problem with only a few good answers.

Ireland was chosen because it removes a variable the collection had been treating as structural. Every other modern case in the series has a seam held open by distance: a metropole that cannot see what its periphery lives, a despatch that takes six weeks, a language barrier, a colonial office standing between the two ends. Ireland deletes all of it. Dublin is a night's crossing from Holyhead; the Irish and London newspapers read each other within days; and a hundred Irish members sat in the House of Commons that voted the estimates, with twenty-eight peers and four bishops in the Lords. If distance was doing the work, this arrangement should not have lasted a year. It lasted a hundred and twenty-one. What the case therefore establishes is that distance was never the mechanism but a proxy for it — that the operative variable is the gap between the governed population and the electorate whose consent the order actually checks, and that where that gap exists inside a single kingdom the same result follows with no water at all.

The study was built the way the series is built, one module at a time. The author brought the framework, the direction, and the judgement of the whole, and held the collaboration to its disciplines; Claude, Anthropic's model, did the research — verifying every load-bearing quotation, date, and figure by search against a source reproducing the

primary text before any module was written — and produced the drafts, applying the framework module by module, each presented and confirmed before the next was begun. The framework's concepts are the series'; the Irish application, and the refinements it yielded, are the work of the collaboration.

Its engine throughout is the method of information asymmetry, adapted to a case with no ocean in it. Where the other studies set the metropole's public word beside the colony's private one, this study sets a government's public reason beside its own recorded calculation: Wellington telling the Lords in 1829 that there was no resistance to the law, beside the concession he made anyway and the disfranchisement he exacted for it the same day; the Articles of Union declaring the church establishment an essential and fundamental part of the Union, beside the party arithmetic in which Gladstone weighed disestablishing it forty years later; the plantation conditions of 1609 requiring an undertaker to muster his tenants twice a year, beside a Covenant of 1912 describing the result as equal citizenship. It lays out the arithmetic and leaves the sum to the reader. It does not preach the conclusion.

The disciplines

Five rules govern every module.

Quotation. Public-domain primary sources — statutes, treaties, plantation articles, parliamentary speeches, official despatches, private correspondence, royal commission reports — are quoted exactly, at the length the argument needs, because in a legal fiction the precise wording *is* the evidence. Modern copyrighted scholarship is paraphrased, briefly, and credited.

No fabrication. No quotation, date, attribution, or figure is ever invented or reconstructed from memory. What cannot be verified is dropped or flagged, never guessed — an eighteenth-century judicial dictum that would have made a better title for the Landscape was abandoned at the drafting stage because its attribution would not stand up. Contested figures are given as ranges with their estimators named, and this case carries more of them than most: the dead of 1798, the dead of the Famine, the Irish electorate before 1832, the extent of over-taxation, and the fall in the southern Protestant population after 1911 are all live disputes and are reported as such.

Gravity without partisanship. Suffering is held with gravity, and the study refuses both flattery and demonisation — it names the legal fiction as fiction and explains the order's logic without excusing it. Its recurring watchword is *legibility is not pardon*: to understand how a thing was done is not to forgive its being done.

Contribution. Every module returns a refinement to the framework, stated plainly in its closing section, rather than merely applying the framework to the case. Where a module found nothing new, it says so and records a confirmation instead.

What Ireland added to the framework

One finding organises the rest, and it concerns the collection's own habits rather than the case. The series has generally read colonial instruments as flowing outward — devised at the metropole, applied at the periphery. Ireland inverts the vector repeatedly. The plantation as a legal instrument, the declaratory statute asserting a parliament's right to bind a dependency, the armed and barracked national constabulary, the renewable coercion Act that suspends the ordinary law while preserving the claim that the ordinary law is the rule, land purchase financed by sovereign credit, and partition adopted to resolve a veto inside the metropolitan coalition — all six were drafted, tested and refined here before being exported. The 1766 Act for the better securing the dependency of the American colonies carries the title of the 1719 Irish Act almost word for word. A late case in a collection ought to confirm rather than correct; this one corrects, and the reason is that it sits nearer the drafting table than the applications the collection had been reading.

Around that spine the study returns a set of narrower refinements. That a settlement can divide jurisdiction rather than acres, and that its characteristic fiction is *incorporation*, whose signature is a stated fraction — four bishops, twenty-eight peers, one hundred commoners, two parts in seventeen. That the binding which actually holds such a settlement will be the jurisdiction nobody legislated, because an entrenched clause is a visible target and an unlegislated power is not. That a written robe cannot be defended as a doctrine can, since a statute sits on every barrister's shelf, and that an order governing by law will therefore generate its own counter-interpreters out of its bar. That an apex which funds a formation it cannot steer has usually tried to buy it first and been refused, so the endowment is a residue rather than a policy — and that an installed state formation is not resisted by the existing clergy but staffed by them. That the exit dial carries an unstated premise, namely that the extractor wants the labour, and that where he does not an open door empties the country instead of raising the floor. That a uniform tax schedule across regions of unequal wealth is a transfer with no discriminatory statute and no identifiable author. That amalgamating accounts is an information instrument stronger than censorship, because it makes a question unanswerable rather than forbidden. That a state which cannot disarm a class can make it redundant by building a salaried substitute beside it, and that compensation severs position-logic, so a bought-out beneficiary is an exit rather than a neutral. That contestability requires a veto over the removal of

counterweights and not merely their presence. That residue survives reversal in proportion to how hard it is to un-give, which is why the Irish tenant's freehold outlasted the Irish voter's franchise. That an armed movement can compel a settlement while having no capacity to author one. That metabolic debt is better measured as portfolio concentration than as headcount, and that the extraction system sets the concentration. And that a wall built to stop a garrison from going native will keep the conquered's claim alive for exactly as long as it protects him — which is why a conquest of 1169 vanished into the population within five generations and a conquest of the 1650s was still being litigated in 1880.

The arc

A landscape opening and twelve modules, each with a framework function and its own evocative title.

Landscape — the societies the Union inherited. **The Allegiance Due to Our Lord the King.** Three populations rather than two; a first English settlement that dissolved into the country until the crown legislated against its own grantees in 1366; the plantation articles that fixed the failure by writing formation into the terms of tenure; the penal code as a maintenance rule for a transfer already complete; a parliament that took legislative independence in 1782 and left the executive untouched; and a Union bought for £15,000 a borough, charged to the Irish debt.

1 — The Floor of Force. **Formidable to Everyone but the Enemy.** A commander-in-chief recording that his own army was a danger to the population and not to France, and losing his command to the resident proprietors for saying so; a viceroy writing privately that the yeomanry had saved the country and now led the rapine; and forty years in which the state built a constabulary it could command rather than fighting the garrison it could not.

2 — The Settlement. **An Essential and Fundamental Part of the Union.** A settlement in which no land changed hands, distributing seats, precedence, church revenues and jurisdictions instead; a peerage rationed at one creation per three extinctions; and the county grand jury — twenty-three landowners taxing the other confession's tenants and awarding the contracts — which nobody legislated and which therefore outlasted every entrenched clause in the instrument.

3 — The Robe. **There Was No Resistance to the Law.** Legality as the currency the audience recognised; the exception enacted, dated and renewed on a decadal cycle so that the ordinary law remained the declared rule; and the leash pulling twice — Wellington

doing statutory exegesis in 1829 to get out of the constitution of 1688, and Ulster in 1912 defending its equal citizenship against a lawful Act it called a conspiracy.

4 — Formation. **The Entire Approbation of His Majesty.** A government that offered the whole Catholic question for a crown veto over episcopal appointments and was refused by the bishops and the laity together; seventy-four years of paying for a seminary it could not steer; a national school system designed to banish even the suspicion of proselytism and quietly staffed into two denominational systems; and an established church that answered its own reorganisation with the Oxford Movement.

5 — The Cost Column. **More Than a Quarter of an Acre.** Two dials in a country where the door stood open for a century and the landlord paid to widen it, because grazing needed no hands; a relief statute under which holding land and eating were mutually exclusive; a northern tenant right that was capital as well as security; and an emigration that converted coercible subjects into uncoercible patrons.

6 — Extraction. **Not Exceeding One-Twentieth.** A machine inherited rather than built; an amalgamation of exchequers in 1817 that made the question unanswerable for eighty years; a uniform schedule of duties producing a transfer no statute authorised; a royal commission appointed by a Unionist government that found unanimously against it; and a flow that reversed until the Treasury was buying out the class the settlement had created.

7 — Information and Suppression. **The Juries Could Not Be Relied On.** A famine fully and officially reported as it happened, to a metropolitan audience that could read it and a governed population that could not vote; the franchise moving in 1884 and the consequences arriving within one general election; a statute that lowered three capital offences to felonies for the express purpose of raising the conviction rate; and a forgery that collapsed because the interpretive field was crowded.

8 — Elite Coordination and the Default. **Breast High for a Big Deal.** A chain in which defending a rent meant defending a title, a settlement, a parliament and a Union, maintained by men who never formed the intention; a landed class that polled itself in 1902 and found three-quarters of its members wanting out; a twelve per cent bonus that converted defenders into indifferent parties; and an officer corps that turned out to hold positions of its own.

9 — Plurality or Foreclosure. **The Fraudulent Pretence of Irish Representation.** Every English liberty present, exercised strenuously, and suspendable by a chamber in which Ireland held one hundred seats of six hundred and fifty-eight; every concession dated to the factional fight at Westminster that produced it, including the largest, which was a device for reuniting a broken party; and the same statute book applied to a proclaimed Land League and an unprosecuted Ulster Volunteer Force.

10 — Change and Collapse. **The Chosen Leader of the Great Majority.** A rising against an intact floor, losing on schedule; a counter-elite the order had manufactured and could not seat, building courts, revenue and a foreign service; a cabinet voting nine to five for coercion six weeks before the truce; and a partition legislated in 1920 that bought the consent of a faction inside the British coalition and made the settlement with the majority available.

11 — The Grim Accounting. **One Crop, One Variety.** A population that was not above its carrying capacity and was healthier than the European poor, standing on a single clonal crop with nothing below it to fall to; a note paid first in a million deaths and then in sixty years of departures; and a naturalisation that completed for the settler and never began for the dispossessed, because the clause that kept him English kept the other man's claim alive.

12 — Convergence and Divergence. **For the Better Securing the Dependency.** Ireland placed as the workshop rather than the specimen; three settler factions making one argument and reaching three outcomes; and the strongest case for the defence, stated in full in its own voice and set beside the arithmetic, including the third of the southern minority who were gone by 1926 and the four historians still arguing over why.

✦

A note on sources. This front matter is descriptive and makes no primary-source claims of its own; every factual assertion about the case is established, with its sources and with its limits marked, in the module it summarises. The framework it describes is the series'; the disciplines it lists are the ones the modules hold themselves to and document in their own closing notes. *Part of the collection* Patterns of Power. *Tested, never revealed.*

LANDSCAPE

The Allegiance Due to Our Lord the King

Landscape · the societies the Union inherited, and the four centuries of settlement design that produced them.

What there was, on the last day of 1800

Nobody knew how many people lived in Ireland. The first census was taken in 1821 and returned 6,801,827, a figure its own compilers distrusted and later statisticians have generally treated as an undercount; the first systematic count of religious profession waited until the Commission of Public Instruction reported in 1834. For 1800 there are only reconstructions, and they disagree — the Reverend Daniel Beaufort's *Memoir of a Map of Ireland* (1792) worked from hearth-money returns to something over four million, later estimators have preferred a figure closer to five, and the honest statement is that the island held somewhere between four and five and a half million people and that the men who governed it were guessing along with everyone else. What the 1834 Commission established, once there was finally a count, was a proportion that had not moved much in the interval: roughly four-fifths of the population Roman Catholic, with Anglicans and Presbyterians each somewhere near a tenth, and the Presbyterians overwhelmingly concentrated in the north-east.

That last clause is the whole difficulty of the case in one line, and it is why this study will keep insisting that Ireland was not two societies. It was at least three, and the third one — Presbyterian, Scots-descended, concentrated in Antrim and Down and eastern Londonderry, holding the linen trade and the best tenant-right custom in the country — was neither the conqueror nor the conquered but had been legislated against by the first and had marched with the second within living memory. Any account that reduces the island to Protestant landlord and Catholic tenant will produce a tidy narrative and will fail, specifically and predictably, at 1798, at the land agitation of the 1870s, and at 1912.

Nor was it one economy. The linen triangle around Belfast, Lisburn, Armagh and Dungannon ran on flax, domestic spinning and weaving, and a putting-out system that gave a smallholder a cash income from a plot too small to live on. The midlands and the east ran on tillage and increasingly on grazing, worked through middlemen who took a

head lease and sublet downward, sometimes through three or four tiers, so that the man on the ground paid a rent bearing no relation to what the head landlord received. The west and south-west ran on the potato and on conacre — the letting of a patch of manured ground for a single season, for a rent paid in labour or in cash after harvest, giving the taker no tenancy and no interest of any kind in the soil. The three were different countries with different demographies and different vulnerabilities, and this study will say which one it means every time it says anything.

The first settlement, and what became of it

A conqueror never arrives at a country that has no history of being conquered, and Ireland is an unusually well-documented instance of that rule, because it kept the paperwork of two conquests and the second one was conducted, in substantial part, against the descendants of the first.

Henry II landed at Waterford in October 1171, following the Cambro-Norman lords who had come at Diarmait Mac Murchada's invitation two years earlier. What followed was not the replacement of a Gaelic order by an English one but a partial military settlement over a lordship system that continued to function, and the settlers — granted lands, building castles, marrying into the families whose neighbours they now were — began doing what men in that position tend to do. They took Irish wives and Irish fosterage, kept Irish poets, retained Irish law for matters where Irish law worked better, and within a few generations a great many of them were, in the terms that mattered to a king in London, no longer reliably his.

The crown said so itself, in the plainest possible language, at a parliament summoned at Kilkenny by Lionel of Antwerp, duke of Clarence, on 18 February 1366. The statute passed there is written in Norman French and survives in the roll; its preamble is the founding document of this study, because it states the problem the next four hundred years of English policy in Ireland were built to solve:

> Whereas at the conquest of the land of Ireland, and for a long time after, the English of the said land used the English language, mode of riding and apparel, and were governed and ruled, both they and their subjects called Betaghes, according to the English law … and themselves lived in due subjection; but now many English of the said land, forsaking the English language, manners, mode of riding, laws and usages, live and govern themselves according to the manners, fashion, and language of the Irish enemies; and also have made divers marriages and alliances between themselves and the Irish enemies aforesaid; whereby the said land, and the liege people thereof,

> the English language, **the allegiance due to our lord the king**, and the English laws there, are put in subjection and decayed …

Read what is actually being said. This is not a complaint about the Irish. It is a complaint about the English — a conquering power legislating against its own settlers, on the ground that their language, their marriages and their law had shifted and that their *allegiance* had shifted with them. The statute then does exactly what the diagnosis implies: it forbids intermarriage, fosterage and gossipred with the Irish; it requires the English in Ireland to use English names, English dress and English modes of riding; it requires those who cannot speak English to learn it on pain of forfeiting land and goods; it bans the Irish games of hurling and coiting and prescribes archery and lancing in their place, on the stated ground that the colonists would then be the better able to fight; and it makes the use of Brehon law by an English subject a treason. The bishops present excommunicated transgressors at the parliament's close. It is a formation programme in the form of a penal statute, and it failed — Clarence left Ireland the following year, the resources to enforce any of it never existed, and by 1500 English writ ran securely over four counties.

Two disciplines attach here. The first is that the phrase everyone reaches for, *Hiberniores Hibernis ipsis* — more Irish than the Irish themselves — is not medieval; it belongs to the seventeenth century and to the polemical literature around John Lynch's *Cambrensis Eversus* of 1662, and it should not be put in a fourteenth-century mouth. The second is more important. Nothing in the Kilkenny preamble suggests that the assimilated settlers were dupes, or that their allegiance had been stolen from them. They had been formed, over five or six generations, by the world they actually lived in, married into, and were buried in — which is precisely what formation is and precisely how well it works when it is left alone to work. A crown three hundred miles away, taking no interest in the ordinary life of a Meath knight's household, was outbid by the neighbours.

The fix, written into the grant

The answer, when the Tudor and Stuart state finally had the money and the men to attempt one, was not more legislation against assimilation. It was a different kind of settlement, and the change is visible in the drafting.

The instrument is the plantation: land escheated to the crown after rebellion or flight, and regranted on written conditions. The Munster plantation of the 1580s, following the Desmond attainders, established the form and demonstrated its failure mode — undertakers who did not import the tenants they had promised, did not build the fortifications they had promised, and let their lands to Irish tenants because Irish tenants were there and would pay, so that when Tyrone's war reached Munster in 1598 the settlers

had neither numbers nor walls and were swept off. The Ulster scheme drafted after the flight of the northern earls in 1607 was written by men who had read that lesson.

The *Orders and Conditions to be observed by the Undertakers upon the Distribution and Plantation of the Escheated Lands in Ulster*, printed in 1609 and refined in 1610, is short, and every clause in it is doing a structural job. Land was allotted in proportions — a thousand, fifteen hundred, two thousand English acres — and the obligation scaled with the grant: within two years of his letters patent the greatest undertaker was to build a castle with a strong court or bawn about it, the middling a stone or brick house with a bawn, the least a bawn. He was to seat British tenants at a stated density. And he was to keep the settlement together and armed:

> And all the said undertakers shall draw their tenants to build houses for themselves and their families near the principal castle, house or bawn, for their mutual defence and strength.
>
> The said undertakers, their heirs and assigns, shall have ready in their houses at all times a convenient store of arms, wherewith they may furnish a competent number of able men for their defence, which may be viewed and mustered every half year according to the manner of England.

And, against the fourteenth century's diagnosis directly:

> The said undertakers, their heirs and assigns, shall not alien or demise their portions or any part thereof to the mere Irish.

Mere here means pure or unmixed, not trivial. The clause bars the grantee from letting his land to the population the previous settlement had married into, and it is the Kilkenny preamble converted from a prohibition on private life into a condition of tenure — which is a far more workable instrument, because a man's title now depends on it. The three clauses together describe an object precisely: a landholder whose estate comes from the crown, who is required by the terms of that estate to live in a fortified house among his own tenants, to keep arms in it, to muster them twice a year, and not to lease to the people around him. He is a proprietor and a garrison in the same person, and he was designed that way.

The framework's question about any settlement is what the grantee owed in return — the consideration — because a grant that buys political compliance leaves a dependant with a title, while a grant that buys armed service leaves a rival with a retinue and installs a civil war in the same clause that solved the coordination problem. Ulster's conditions buy armed service, explicitly, in writing, with a muster twice yearly. That is the medieval form of the bargain, adopted in 1609 by a state that would in the same century be fighting a

civil war over precisely such retinues in England. It should be expected to behave accordingly, and this study will date the occasions when it did.

Two further things were built into the same scheme and matter later. Generous allotments went to the Church of Ireland, to Trinity College, and to six royal schools; and the twelve great London livery companies were induced to undertake the new county of Londonderry. The established church and the endowed school arrive in Ulster as *landowners under the plantation*, which is a fact about the Irish church establishment that its nineteenth-century defenders and attackers both understood perfectly well.

The settlement completed, and the shares

What the plantations began, the seventeenth century's two wars finished, and the arithmetic of Irish landholding across that century is the single most consequential set of numbers in the case. Roman Catholic proprietors are generally reckoned to have held something in the order of sixty per cent of profitable land before the rising of 1641; something in the order of twenty-two per cent after the Cromwellian confiscations and the Restoration Acts of Settlement (1662) and Explanation (1665) had been worked through; and about fourteen per cent after the Williamite war and its forfeitures. The figures are estimates built from imperfect surveys and every one of them is argued over, but the direction and the order of magnitude are not in dispute.

Note what the sequence means for the century that follows. By the Treaty of Limerick in October 1691 the settlement was, in substance, already made. The transfer of the land had happened, by conquest and attainder and statute, in two generations of war. Everything the eighteenth century did to Irish Catholics was therefore not the taking; it was the maintenance of a taking already complete.

The maintenance rule

That is the right way to read the penal code, and reading it any other way produces bad history in both directions.

The statutes are real and their language is not softened by context. The Act to prevent the further Growth of Popery, 2 Anne c. 6, assented on 4 March 1704, required that a Catholic's land be divided at death equally among his sons rather than descending to the eldest, unless the eldest conformed to the established church, in which case he took the whole and his father was reduced to a life interest. Catholics were barred from purchasing land and from taking leases longer than thirty-one years, from bearing arms, from the bar, the bench, the corporations and the higher offices, from sending children abroad to be

educated, and — after 1728 — from the parliamentary franchise. Bishops were banished; parish clergy were required to register.

But the historian S. J. Connolly's finding on the mechanism should be held beside the text, because it tells you what the code was for. Across the century of the code's full operation, Catholic ownership fell from about fourteen per cent to about five — Arthur Young's figure from the *Tour in Ireland* for 1776, which Connolly and others think an underestimate — and yet very little land actually changed hands by seizure. The decline ran through conformity, much of it formal, and through collusive discovery, in which a friendly Protestant "discovered" a Catholic's illegal interest and held it in trust for him. A code that operated chiefly by making conformity the price of keeping an estate was aimed with some precision at the Catholic *gentry*, and it hit them; a Catholic labourer in Mayo lost nothing to the Popery Act that he had not lost in 1652.

And the code did not divide the island in two, because the sacramental test imposed in the same 1704 act caught the Presbyterians as well, excluding them from municipal corporations and civil and military office. The Ulster Presbyterian was inside the settlement as a Protestant and outside it as a dissenter, and he knew it: the Toleration Act of 1719 relieved him of the penalties on worship without relieving him of the test, which stood until 1780. That double position is the origin of everything the north does for the next two centuries, and a study that treats the boundary as running simply between Protestant and Catholic will not be able to explain why Belfast Presbyterians founded the United Irishmen in 1791 and why their grandsons armed against Home Rule in 1912.

Englishmen in Ireland

Here the settlement produced the consequence that would eventually undo it, and it produced it early enough that the crown had a century's warning.

The proposition is stated fully in 1698 by William Molyneux, of Dublin, in *The Case of Ireland's being Bound by Acts of Parliament in England, Stated* — a Fellow of the Royal Society, founder of the Dublin Philosophical Society, correspondent of Locke, and, as he says in his own preface, a man who has "an Estate and Property in this Kingdom, and who is a Member of Parliament there in." He names his position before he makes his argument. The argument is that the liberties of Englishmen belong to the English in Ireland, and that those liberties consist in consent:

> Here we have a free Grant of all the Liberties of England to the People of Ireland. But we know the Liberties of Englishmen are Founded on that Universal Law of Nature, that ought to prevail throughout the whole World, of being Govern'd only

> by such Laws to which they give their own Consent by their Representatives in Parliament.

The occasion was the English parliament's move to suppress the Irish woollen export trade. The English Commons condemned the book; whether it was in fact burned by the common hangman is uncertain, and the sources that assert it and the sources that doubt it should both be recorded. Swift restated the case in the *Drapier's Letters* of 1724–25 against Wood's halfpence and won that round.

The crown's answer was put on the statute book in 1719, and it is worth quoting because of what its title would later be used for. *An Act for the better securing the Dependency of the Kingdom of Ireland upon the Crown of Great Britain*, 6 Geo. I c. 5, opens on a jurisdictional complaint — that the Irish House of Lords had "of late, against Law, assumed to themselves a power and jurisdiction to examine, correct, and amend the judgments and decrees of the Courts of Justice in the Kingdom of Ireland" — and then declares:

> that the said Kingdom of Ireland hath been, is, and of right ought to be subordinate unto and dependent upon the Imperial Crown of Great Britain, as being inseparably united and annexed thereunto; and that the King's Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons of Great Britain in Parliament assembled, had, hath, and of right ought to have full power and authority to make laws and statutes of sufficient force and validity to bind the Kingdom and People of Ireland.

Forty-seven years later, the same parliament, faced with the same argument from a different set of colonists, reached for the same drafting. The American Colonies Act 1766, 6 Geo. III c. 12, is titled *An Act for the better securing the Dependency of His Majesty's Dominions in America upon the Crown and Parliament of Great Britain*. The Irish Patriots called their grievance the Sixth of George the First; the Americans called theirs the Declaratory Act; the parliamentary draftsman was working from the earlier text.

The Volunteers, and what 1782 actually was

The American war stripped Ireland of regular troops, and the gentry raised and equipped local corps for home defence against a French landing. By 1782 the Irish Volunteers numbered on the order of eighty-eight thousand men — officered by landlords, financed by subscription, drilled, uniformed, and under no crown authority whatever. Having assembled for one purpose they discovered another. In November 1779 they paraded before the parliament house in Dublin in support of free trade; on 15 February 1782

delegates from the Ulster corps met at Dungannon and resolved for legislative independence and for a relaxation of the penal laws; and on 16 April 1782 Henry Grattan walked to College Green through their ranks to move a declaration of Irish legislative right.

His speech names his own genealogy exactly:

> Spirit of Swift — spirit of Molyneux — your genius has prevailed — Ireland is now a nation — in that new character I hail her; and bowing to her august presence, I say, *Esto perpetua*. She is no longer a wretched colony, returning thanks to her Governor for his rapine, and to her King for his oppression …

Eighty-four years after Molyneux's pamphlet, the argument was conceded. The Declaratory Act was repealed on 21 June 1782 by 22 Geo. III c. 53; Yelverton's Act freed Irish bills from the English privy council's amending power under Poynings' Law; and the Renunciation Act of 1783, 23 Geo. III c. 28, disclaimed for good any British right to legislate for Ireland or to hear appeals from Irish courts. Grattan was voted £100,000 by the Irish parliament and would accept only half.

What was conceded, and what was not, is the load-bearing fact for everything that follows. Ireland acquired a parliament that could make its own laws. It did not acquire an executive: the lord lieutenant and the chief secretary continued to be appointed in London, the Castle administration answered to London, and the patronage that managed the Irish Commons continued to be dispensed by men London had chosen. The army in Ireland remained the King's. The revenue boards remained. A settler faction had extracted, at the point of its own muster, a legislature — and had left the floor of force and the executive that stood on it exactly where they were.

Nor did the concession extend downward. The relief acts of 1778 and 1782 restored to Catholics the right to take long leases and then to purchase land, and lifted the restrictions on worship, schooling and the clergy. The act of 1793, passed under British pressure while war with revolutionary France was beginning, gave the Catholic forty-shilling freeholder the parliamentary vote on the same terms as his Protestant neighbour — and did not give him the right to sit in the parliament he was now voting for, nor to hold the higher offices. A voter who cannot be a candidate is a resource, and the men who held the boroughs understood perfectly what they had been handed. That precise shape — the franchise extended, the seat withheld — is the thing this study will be measuring for the next hundred and twenty years.

1798

The Society of United Irishmen was founded at Belfast and Dublin in 1791 by Presbyterian radicals and liberal Protestants, on a programme of parliamentary reform and Catholic emancipation, and it was driven underground and into conspiracy by the repression of 1794–97. The rising that came in May 1798 was fought in Wexford, in Antrim and Down, in Kildare and Wicklow and Mayo, against a crown force of regulars, some thousand Hessians, and a yeomanry raised in 1796 from the same class that had officered the Volunteers. It lasted from late May to September; a French force under Humbert landed at Killala in August and was taken at Ballinamuck.

The dead cannot be counted and the estimates should be given with the estimators named. Dublin Castle's contemporary figure was around twenty thousand; other contemporary accounts reach fifty. Louis Cullen, reconstructing from the depletion of Wexford's population between 1798 and 1820, put that county's fatalities at about six thousand, on which basis Thomas Bartlett has argued that a total of ten thousand for the whole island "would seem to be in order." A figure around thirty thousand is the one most commonly advanced in the general literature. Against this stands a list of crown soldiers killed, compiled for a relief fund, carrying five hundred and thirty names — and the counter-argument that rebel deaths were systematically concealed by families who feared the consequences of being counted. The range is ten to fifty thousand and the study will not narrow it.

The purchase

Pitt's government concluded that the Irish parliament was the problem and that a union was the answer. Cornwallis as lord lieutenant and Castlereagh as chief secretary were instructed to obtain one from that parliament itself, and the first attempt failed: on 24 January 1800 the Irish House of Commons rejected the measure by 111 to 105.

The second attempt succeeded, and the means are documented because the government kept receipts. Compensation of £15,000 was voted for each disfranchised borough, payable to its proprietor; one patron received £52,000, two received £45,000 each. The total came to £1,260,000, and it was charged to the Irish national debt, so that the country paid for the purchase of its own representatives. Peerages and promotions in the peerage were distributed. Over £30,000 passed through the secret service account in electioneering money, a sum the historians who have examined the accounts describe as significant rather than spectacular, and rather less important than the patronage. On 6 February 1800 the House divided 158 to 115 the other way.

To the Catholic bishops and the Catholic Committee it was intimated that emancipation would follow the Union — that a Catholic could not safely sit in a Dublin parliament where he would be a majority interest, but could sit in a Westminster one where he would not. Much of the hierarchy accepted the reasoning. When Pitt attempted to deliver, George III refused on his coronation oath, and Pitt resigned in February 1801. Emancipation came twenty-eight years later, by a different route, and this study will date it to the fight that produced it.

The Act of Union received royal assent on 1 August 1800 and came into force on 1 January 1801. Ireland's three hundred members were replaced by a hundred at Westminster, with twenty-eight representative peers and four bishops in the Lords. The Church of Ireland and the Church of England were united and their union declared "an essential and fundamental Part of the Union." The parliament that had been declared a nation eighteen years earlier voted itself out of existence, and the men who had marched behind the Volunteers to obtain it were, in a majority, the men who sold it.

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Reading the Irish landscape against the framework

Three things this ground establishes before the first module opens.

The recursion runs further here than the corpus has needed it to. The collection's convention is that a conqueror never meets a timeless baseline — the order he finds is a former conquest that has naturalised until it is simply the world. Ireland adds a rung. The Anglo-Norman settlement of 1169–71 naturalised so completely that within five generations the crown was legislating against its own grantees' language, marriages and law; and then the *next* conquest reclassified those naturalised conquerors as natives and dispossessed them as such, so that the Old English of the Pale went into the seventeenth century as Catholics losing land to Cromwell alongside the Gaelic families their ancestors had displaced. A conquest that takes can be conquered in its turn and counted among the conquered. This is an application of what the framework already holds rather than an addition to it, and it should be recorded as such — but it is the clearest instance in the corpus, and it is on the page in the conqueror's own words, which is rarer.

The refinement this landscape actually returns concerns the consideration. The framework holds that what distinguishes a durable co-optation from a brittle one is not the grant but what was demanded in return: a grant buying political compliance leaves a dependant with a title, while a grant buying armed service leaves a rival with a retinue and installs a civil-war risk in the same clause that solved the coordination problem — so

where a settlement did leave its grantees armed, expect the medieval failure mode and date the first revolt. Ulster's conditions of 1609 buy armed service in writing, with a half-yearly muster. What Ireland adds is the case where the armed grantee class is a *garrison minority*, and that changes the failure mode's shape in two directions at once. The retinue the crown required for its own purposes became, in 1779 and 1782, the instrument by which the grantee class extracted a constitution from the crown — eighty-eight thousand men under arms, and a legislature conceded. But the same fact that put the arms in their hands set a ceiling on what they could do with them: a proprietary class holding perhaps a tenth of the population's numbers and the overwhelming bulk of its land cannot separate from the power that guarantees its floor, because the floor is what the land is held by. So the revolt stops precisely where the crown's protection begins. It takes the legislature and leaves the executive, the army and the revenue untouched — and then, when the majority rises in 1798 and is put down by the crown's regulars and the crown's Hessians, the same class sells the legislature back. **Where a co-opted elite is a minority garrison, the retinue makes it a rival and the demography makes it a client, and the two together predict a revolt that extracts constitutional form and never touches force.** That is a testable proposition and the corpus has two further cases to test it against — the American colonists, who made Molyneux's argument without a hostile majority beneath them and went the whole way; and the Rhodesian settlers, who made a version of it in 1965.

And the plantation collapses two modules into one instrument. The framework treats the settlement and formation as separate operations — who got what, and then how the belief was installed each generation. The Ulster conditions of 1609 do both in one document, and they do it because the first settlement's failure had been a failure of formation running *backwards*: not the conqueror's belief failing to take with the conquered, but the conquered's world taking with the conqueror's own garrison. Build a bawn, seat your tenants around it, keep arms and muster them twice a year, and do not lease to the mere Irish — that is a property instrument whose operative purpose is to determine who a man's neighbours are, whom his children may marry, and what language is spoken in his house. Where a conquest has already lost one settler generation to assimilation, expect its next settlement to be drafted as formation policy, and expect the tell to be a residence or tenancy clause rather than a school.

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A note on sources. The Statute of Kilkenny preamble is quoted from the standard English translation of the 1366 roll as reproduced in the printed collections of early Irish statutes; the Norman French original survives and Keith Busby's new edition and translation is the current scholarly text. The *Orders and Conditions to be observed by the Undertakers* (London, 1609, revised 1610) is quoted

from the printed text; the bawn, arms-and-muster and *mere Irish* clauses are given verbatim. Molyneux's *Case of Ireland's being Bound by Acts of Parliament in England, Stated* (Dublin, 1698) is quoted from the Early English Books Online text-creation transcription, which is in the public domain; the report that it was burned by the common hangman is carried by several traditions and doubted by others, and is given here as disputed. The Declaratory Act (6 Geo. I c. 5) and the American Colonies Act (6 Geo. III c. 12) are quoted from the enacted texts. Grattan's speech of 16 April 1782 is quoted from *Speeches of the Late Rt. Hon. Henry Grattan in the Irish Parliament in 1780 and 1782* (London, 1821); a widely reprinted variant of the preceding sentence reads "paternal solicitude" where the printed *Speeches* read "eternal," and the passage quoted here is not affected. The Union division figures (111–105 on 24 January 1800; 158–115 on 6 February), the £15,000 per disfranchised borough, the £1,260,000 total charged to the Irish debt, and the sum above £30,000 passing through the secret service account are as given in the History of Parliament's account of the Union and in the published work on the Castle's accounts.

Figures are given as ranges wherever the record disagrees. No count of Ireland's population or religious profession exists for 1800; the 1821 census returned 6,801,827 and is generally held to undercount, Beaufort's 1792 estimate from hearth-money returns is lower than most later reconstructions, and the confessional proportions cited are those of the Commission of Public Instruction of 1834, the first systematic count, applied backward with that caveat stated. The landholding series — approximately sixty per cent in Catholic hands before 1641, twenty-two after the Restoration settlement, fourteen after the Williamite forfeitures, about five by the 1770s — is a reconstruction from imperfect surveys and every point on it is contested; Arthur Young's five per cent for 1776, from the *Tour in Ireland*, is thought by several historians to be too low. The finding that the penal century's transfers ran chiefly through conformity and collusive discovery rather than seizure is S. J. Connolly's, paraphrased. The 1798 mortality range of ten to fifty thousand is given with its estimators named: Dublin Castle's contemporary twenty thousand, Louis Cullen's Wexford reconstruction, Thomas Bartlett's inference of ten thousand island-wide, and the thirty thousand commonly advanced in the general literature. The phrase *Hiberniores Hibernis ipsis* is seventeenth-century and is not used here as a medieval source.

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MODULE 1 · THE FLOOR OF FORCE

Formidable to Everyone but the Enemy

Module 1 · The Floor of Force — what armed violence held Ireland at the Union, who supplied it, and how long it took the state to own it.

The ledger a British minister was reading

No conqueror arrives in Ireland in 1798. That is the first thing to hold, and it makes this module unlike the equivalent chapter in most studies in this collection, because the state doing the work already held the country and had held it for a century. What it was doing was not taking ground. It was discovering how much of its own floor it actually controlled, and finding out under conditions it had not chosen.

The conditions were these. The American colonies had been lost fifteen years earlier, and lost to settlers making a constitutional argument the Irish Protestant gentry had been making since 1698. France had executed its king in January 1793, abolished its nobility, and been at war with Britain ever since. The slaves of Saint-Domingue had risen in 1791 and were still holding the field. In the spring and summer of 1797 the Channel and North Sea fleets mutinied at Spithead and the Nore — the navy, which was the whole of Britain's insulation, briefly refusing duty. And Ireland was not merely another possession among many but the invasion coast, the flank from which a French army could be put ashore behind the fleet.

That last possibility was not hypothetical, and the date matters more than the outcome. In December 1796 a French expedition sailed for Ireland under Lazare Hoche, with Theobald Wolfe Tone aboard — a force usually given at something over forty ships and in the order of fourteen thousand men. It reached Bantry Bay. It sat there for the better part of a week. It never landed a man, and it never landed a man because the weather scattered it and the wind in the bay would not let the boats in. The Royal Navy did not intercept it. The garrison of Ireland did not repel it.

Hold that, because it determines everything that follows. The British state's floor in Ireland had just been presented with the exact test it existed to meet, and the test had been called off on account of weather. Nobody in Dublin Castle or in Whitehall could know

whether the floor would have held. What they could see was that a fleet had lain off Cork for days while the country watched, and that the country had watched with interest.

What was actually there

The framework's question is who held organised violence, in what numbers, under whose command, paid by whom. In Ireland the answer has three parts, and the fact that it has three parts rather than one is the whole finding of this module.

There was the regular army — British and Irish line regiments on the Irish establishment, rotated, commissioned by the crown, paid from the Irish revenue, and by 1798 reinforced heavily from Britain. There was the militia, put on a new footing by the Irish Militia Act of 1793 and raised by ballot from the parishes, which meant that its rank and file were drawn from the general population and were therefore in large part Catholic, while its officers were the Protestant gentry who had raised it. And there was the yeomanry, established in 1796, recruited by landlords from among their own tenants, officered by those landlords, serving in their own districts, and overwhelmingly Protestant. To these were added something in the order of a thousand Hessian troops, hired abroad.

Against them, in the summer of 1798, the United Irishmen put perhaps fifty thousand men into the field over four months, armed for the most part with pikes. The crown's forces are generally reckoned at around seventy-six thousand, with the components variously counted, and the arithmetic of the campaign was never in doubt after the first fortnight. Wexford's rebels held a county for three weeks and were broken at Vinegar Hill on 21 June. Antrim and Down were finished by Ballynahinch on 13 June. Humbert's eleven hundred Frenchmen landed at Killala on 22 August, won at Castlebar, and surrendered at Ballinamuck on 8 September. Bompart's second squadron was taken at sea off Donegal in October with Tone aboard.

That is the ordinary result, and this collection has recorded it often enough: a rising of the largely unarmed against an intact officered military loses, and loses on a schedule. What is not ordinary in Ireland is the composition of the force that won, and what the state discovered about it.

The retinue in a crown coat

Look at the yeomanry against the plantation conditions of 1609 and the continuity is exact. The Ulster undertaker had been required, as a term of his grant, to keep a store of arms in his fortified house sufficient to furnish a competent number of able men, and to have them viewed and mustered twice a year. The yeomanry corps of 1796 is that

obligation, at the end of two centuries, given a crown commission: the proprietor raises the men off his own estate, arms them, officers them, and keeps them where they live.

The change of 1793–96 was therefore not the arming of the Protestant gentry, who had never been disarmed. It was a change in the paperwork. The Volunteers of 1782 — eighty-eight thousand men, subscribed, self-officered, answerable to nobody, and used to extract a legislature — were dissolved in 1793, and in their place the state raised two forces it commissioned itself: a militia balloted from the population at large and a yeomanry raised by the same class from the same estates. The capacity for organised violence was not taken out of the settler's hands. It was licensed, and left there.

This is the point in the framework where a settlement that bought armed service usually presents its bill. What the card leads you to expect is a baronial revolt — the grantee turning his retinue on the grantor. Ireland pays the bill in a different currency, and the invoice arrives in the commander-in-chief's correspondence.

The order that cost a general his command

Sir Ralph Abercromby took the Irish command in late 1797, a professional soldier of high reputation who had refused to fight in America out of sympathy with the colonists. He spent the winter attempting to concentrate his scattered detachments and impose discipline on them, and on 26 February 1798 he issued a general order that has outlived every dispatch of the campaign. The troops' irregularities, he wrote, had

> proved the army to be in a state of licentiousness which must render it formidable to everyone but the enemy.

Read exactly what has been said, and by whom. The officer commanding the crown's forces in Ireland, three months before a rebellion and fourteen months after a French fleet had lain in Bantry Bay, is recording in a general order that the army he commands is a danger to the population and not to France.

What happened next is the module's evidence. The protest came not from the disaffected but from the loyal: John Foster, Speaker of the Irish House of Commons, led the outcry, and the resident proprietary interest carried it to the lord lieutenant and to London. Camden supported Abercromby personally and overruled him practically, directing the disarming of the counties round Dublin; and on 30 March 1798 the lord lieutenant and Irish privy council proclaimed that the military might act throughout the kingdom independently of the civil magistrate. Abercromby resigned in mid-March and left the country in April, weeks before the rising.

The 30 March proclamation is the floor being laid in the most literal sense available in a state that runs by law. What it removes is the magistrate — the person standing between the soldier and the subject, whose warrant the soldier had previously needed. After it, a corporal in a village required no civil authority for what he did there. Set that beside the fact that the men driven to demand it were the country's own landholding class, and the shape of the problem is visible: the garrison did not want the army restrained, and when a general restrained it the garrison removed the general.

What the commander wrote home

Cornwallis arrived on 20 June 1798 as lord lieutenant and commander-in-chief together — the two offices deliberately joined in one man, which is itself a statement about where the government thought the difficulty lay. He was sixty, had surrendered an army at Yorktown, and had governed India. His private correspondence, published in 1859, is the sharpest instrument this module has, because it can be set directly against what the same government was saying in public about a rebellion suppressed and order restored.

To the Duke of Portland, on 8 July, three weeks into the command:

> The Irish militia are totally without discipline; contemptible before the enemy when serious resistance is made to them, but ferocious and cruel in the extreme when any poor wretches, either with or without arms, come within their power; in short, murder appears to be their favourite pastime.

To General Ross, on the state of the country under martial law:

> But all this is trifling compared to the numberless murders that are hourly committed by our people without any process or examination whatever.

On the yeomanry, in August, he reaches for the comparison a man in his position would reach for:

> The yeomanry are in the style of the loyalists in America, only much more numerous and powerful, and a thousand times more ferocious. These men have saved the country, but they now take the lead in rapine and murder.

And on the company he was obliged to keep:

> The conversation of the principal persons of the country all tends to encourage the system of blood, and the conversation even at my table, where you will suppose I do

> all I can to prevent it, always turns on hanging, shooting, burning, &c, &c, and if a priest has been put to death, the greatest joy is expressed by the whole company.

In April 1799, with the rebellion long over, he was still writing against the practice of quartering troops on the population at free quarters, which he described as comprehending universal rape and robbery throughout the country.

Four things are on the page in those lines and each belongs in a different column of the ledger. The militia — the force with Catholic rank and file and Protestant officers — is judged useless in a fight and dangerous out of one. The yeomanry is credited, in the same sentence, with having saved the country and with leading the rapine, which is the exact double entry of a force that is both the floor and the problem. The country's principal persons, the men who held the land, are recorded as the party pressing for blood. And the man recording all of it is the King's viceroy, writing privately, while his government told parliament and the newspapers a story about a French-inspired conspiracy put down by the loyal.

The comparison Cornwallis reached for is worth pausing on, because he did not choose it idly and he was in a position to know. He had commanded against the Americans; he had seen what a locally-raised loyalist force did to its neighbours in the Carolinas; and looking at the Irish yeomanry in 1798 he saw the same object, more numerous and worse. A commander who had lost one settler war was reading the second through it.

The law that licensed it

None of this ran outside the law, and saying so is not a mitigation but a description of how the thing worked.

The Insurrection Act passed by the Irish parliament in 1796 opens on a preamble reciting that traitorous insurrections had arisen, promoted by persons associating under unlawfully administered oaths, and it made the administering of such an oath a capital offence — commuted in the 1807 re-enactment to transportation for life. It required every person holding arms to register them in writing with the clerk of the peace. It empowered the lord lieutenant and privy council, on magistrates' report, to proclaim any district disturbed; within a proclaimed district there was a curfew from sunset to sunrise, magistrates could search houses without warrant and arrest without charge, and trial by jury was suspended. And it provided that a man found out of his dwelling after dark could be sent aboard His Majesty's navy — a detail worth stating plainly, because a statute that answers a curfew violation with naval service has told you what it thinks the population is for. Habeas corpus was suspended alongside it.

Some eight hundred prisoners were transported to New South Wales under this legislation and its successors. The Act's own career is the more useful figure: in force from 1796 to 1802, re-enacted 1807–10, again 1814–18, again 1822–25. A statute described as an emergency measure was on the books for roughly half the first quarter-century of the Union, and would be reached for again and again through the century that followed. Where a floor is secure, this kind of instrument lapses.

And through 1797 the law was used in the direction that a two-sided account of Ireland cannot accommodate. General Gerard Lake, commanding in Ulster, proclaimed martial law across Down, Antrim, Tyrone, Derry and Donegal, arrested the United Irish committees sitting in Belfast, suppressed the *Northern Star*, and set about the seizure of arms across the province by search, burning and flogging — the episode contemporaries called the dragooning of Ulster. The population being systematically disarmed by the crown in 1797, in the province the crown had planted, was in large part Presbyterian: the descendants of the men settled there in 1610 under an instrument requiring them to keep arms and muster twice a year. The state that had armed them as a garrison against the Irish disarmed them as Jacobins within seven generations, and it did so before it turned to Leinster.

Abolishing the institution instead of the force

Here is the answer to the question of how a state gets more control without a war against its own garrison, and it is not a military answer.

The British government did not attempt to disarm the Irish Protestant gentry, and could not have. What it did instead was remove the institution through which that class had previously converted its arms into constitutional leverage. In 1782 the mechanism had been visible and public: eighty-eight thousand men under arms, a convention at Dungannon, and a parliament that voted its own legislative independence with the corps drawn up outside the door. In 1800 that parliament was bought and dissolved. The men keeping arms in Antrim and Cork kept them; what they no longer had was a legislature of their own in which to be a majority.

The Union is therefore a floor operation performed with a statute, and it belongs in this module rather than only in the next. It cost £1,260,000 in borough compensation charged to the Irish debt, a distribution of peerages, and over £30,000 through the secret service account. Set that against what a campaign to disarm the Irish landed class would have cost a government simultaneously fighting France, and the transaction reads as what it was: the cheapest available method of taking a capacity out of a class's hands without touching the class.

What the state now held was a country with no assembly of its own, garrisoned by forces it commissioned and paid, under a viceroy who was also commander-in-chief, with a coercion statute it could reactivate at will. What it did not yet hold was a police.

Building a floor the state could actually command

The final movement takes forty years and is conducted by administrators rather than generals, which is why it is easy to leave out of a chapter about force.

Robert Peel arrived as chief secretary in 1812 and found the ordinary machinery of local order — baronial constables, watchmen, magistrates raising the yeomanry when frightened — incapable of holding the country without calling in the army every time. His answer was the Peace Preservation Force of 1814: a body of men, many of them soldiers discharged from the French wars and still wearing their old regimental coats, which could be despatched into any district proclaimed disturbed and charged to that district's ratepayers. The Constabulary Act of 1822 made the arrangement permanent and provincial, with chief constables and inspectors-general under Dublin Castle, opening at somewhat over five thousand men and standing above eight thousand six hundred by 1841. The Act of 1836 consolidated the whole into one national force under a single inspector-general, with central recruitment, central pay and central discipline; Dublin got its own separate and unarmed metropolitan police in the same year.

What was built is worth naming precisely, because Britain built nothing like it in Britain. The Irish Constabulary was armed with carbines and given military training; it lived in small barracks distributed across the countryside rather than among the population it policed; it was commanded from Dublin Castle rather than by county magistrates; it collected information as a routine function and reported it upward; and it was recruited, increasingly and deliberately, from the Catholic population it policed, with men posted away from their home districts. Against the yeomanry — local, Protestant, officered by the landlord, quartered at home, and in Cornwallis's account taking the lead in rapine — it is the precise inverse on every variable. It was also, over the century that followed, the model British administrators reached for when they needed a police in a colony, and the men who had served in it were sent to run them.

That is the sequence. A state whose floor in Ireland was substantially supplied by an armed proprietary class it could not command spent forty years constructing a second armed force that it could, and then let the first one fall into disuse. It never fought the garrison, never disarmed it, and never announced what it was doing. It abolished the parliament and it built a constabulary.

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Reading the Irish floor against the framework

The refinement this module returns is that supplying the floor and commanding it are two different facts, and the gap between them is where a state's real problem lives. The framework asks who held organised violence at the founding and how; the working assumption behind the question is that the answer names the apex or its agents. Ireland in 1798 answers it in two halves that do not match. The force that held the country was largely raised, armed, officered and quartered by the resident proprietary class; the state paid it and commissioned it and could not control it, as the commander-in-chief said in a general order and the viceroy said in his letters. The floor held perfectly well — that is not in question, and the rising was broken in weeks. What failed was ownership. So a study should ask, of every floor it reconstructs, not only *who supplied the violence* but *who could stop it*, because an order can be entirely secure against its subjects and entirely unable to restrain its own instrument, and those are separate conditions with separate remedies.

The corollary is a prediction about what such a state does next, and Ireland supplies the whole sequence. Where the floor is held by a force the apex does not command, expect the apex to build a second force rather than confront the first — and expect the replacement to be the enduring institution, designed as the inverse of what it displaces on precisely the variables that made the original uncontrollable. The yeomanry was local, hereditary in effect, officered by the landowner, quartered among its own, and confessionally uniform with the settlement. Peel's constabulary was central, salaried, commissioned from Dublin, posted away from home, and recruited from the governed population. That is the *rotate* logic of the framework's menu, applied not to administrators but to policemen, and adopted for the same reason it is ever adopted: to prevent a capacity from calcifying into a local power base. The order never fought its own garrison. It out-built it, over forty years, and presented the result as a police.

And the direction of travel wants correcting in the corpus. This collection generally reads colonial instruments as flowing outward — devised in the metropole and applied at the periphery. The armed, barracked, centrally-commanded national gendarmerie was devised *here*, inside the United Kingdom, against a population holding the franchise and sending members to Westminster, and it was subsequently exported. A study of any later colonial police that treats it as an imposition from London has the vector right and the workshop wrong.

One further observation, recorded rather than claimed as an addition. The framework holds that the audience an apex can least afford to disappoint is often its own

coordinating class, whose recognised currency may be a professional code rather than a doctrine. Ireland shows that code doing real and costly work: two successive commanders, both regular soldiers, spent political capital restraining the local force, and the first spent his command on it. Abercromby's order and Cornwallis's letters are not evidence that the floor was gentle — it was not — but they are evidence that the code was genuinely binding on the men who held it, and that the party pressing hardest against it was the propertied class whose estates the floor protected. Where the framework says to apply the deviation test at the apex, this is what a break against personal advantage looks like when it happens.

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A note on sources. Abercromby's general order of 26 February 1798 is quoted from the standard text as carried by the *Dictionary of Irish Biography* and by the scholarly documentary collections on Ireland in the age of revolution; the surrounding sequence — Camden's support and practical overruling, the proclamation of 30 March 1798 authorising military action independently of the civil power, and Abercromby's resignation in mid-March and departure in April — is drawn from the same sources and from the literature on the affair, and the identification of Speaker John Foster as leading the protest is theirs. Cornwallis's letters are quoted from the *Correspondence of Charles, First Marquis Cornwallis*, edited by Charles Ross and published in 1859, which is in the public domain; the letter to Portland is of 8 July 1798, the passage on the yeomanry and the loyalists in America of August 1798, and the observation on free quarters of April 1799. The Insurrection Act of 1796 is quoted from its enacted text, and its provisions are corroborated by the description given in the Commons on 9 July 1807 when the measure was re-introduced, which is in Hansard and is the source for the naval-service penalty.

Figures are given as ranges or as approximations where the record disagrees, and several here are less firm than they look in the secondary literature. The crown force in 1798 is commonly given at around seventy-six thousand and the United Irish strength at around fifty thousand, but the components are counted differently by different authorities and the yeomanry figure in particular varies widely; the Hessian contingent is usually given at about a thousand. Hoche's expedition of December 1796 is usually given at over forty ships and in the order of fourteen thousand men, and the essential fact — that it lay in Bantry Bay and was prevented from landing by weather rather than by the navy or the garrison — is not disputed. Constabulary strengths are as given in Robert Curtis's *History of the Royal Irish Constabulary* (1871): somewhat over five thousand three hundred at the 1822 establishment, above eight thousand six hundred by 1841. The count of roughly eight hundred transported under the Insurrection Act and its successors, and the Act's periods of operation — 1796–1802, 1807–10, 1814–18, 1822–25 — are as given in the secondary literature on nineteenth-century coercion and should be treated as approximate. The characterisation of Lake's operations in Ulster in 1797, including the suppression of the *Northern Star* and the proclamation of martial law in the five northern counties, is paraphrased from the general accounts; the arms-seizure totals claimed by contemporaries are propaganda figures on both sides and are not reproduced here.

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Part of the collection Patterns of Power. *Tested, never revealed.*

MODULE 2 · THE SETTLEMENT

An Essential and Fundamental Part of the Union

Module 2 · The Settlement — what was distributed in 1801, when no land changed hands, and what each recipient stood to lose if the arrangement ended.

A settlement in which nothing was dug up

Every settlement this collection has examined divided something physical. Acres were regranted, estates confirmed, patrimonies converted into parcels that could be sold. The Union of 1801 divided nothing of the kind, and a study that goes looking for the transfer will find no transfer, because it had already happened.

The land had moved in the 1650s and again after 1691, by conquest, attainder and forfeiture, and by 1801 the proportion held by Catholic proprietors had stood at something around five per cent for a generation. Nobody's fields changed hands on 1 January 1801. What changed hands were seats, offices, revenues, precedence and jurisdictions — and the question the framework asks of any settlement can be put to those as readily as to soil. *Who got what; what did he owe for it; and if the arrangement collapsed tomorrow, would he be better or worse off?* Ask it down the whole chain and the answer is the real constitution of the country for the next century.

The Union's instrument is unusually good evidence because it was drafted as a treaty between two parliaments and then enacted by both, so its terms are itemised. It is worth reading as a schedule of payments.

What the instrument found, and what it converted

Before 1801 there were two kingdoms under one crown, each with its own parliament, its own revenue and its own executive, and the relation between them was a relation between two parties. That relation had been contested for a century in exactly those terms: Molyneux had argued in 1698 that one party could not legislate for the other, the British parliament had declared in 1719 that Ireland was *subordinate unto and dependent upon* the imperial crown, and in 1782 the second party had extracted a renunciation of the claim.

The Irish Parliament's existence was what made the argument possible. It was the standing evidence that there were two parties to argue.

Article First performs the conversion in a single clause. The kingdoms

> shall, upon the first day of January which shall be in the year of our Lord one thousand eight hundred and one, and for ever after, be united into one kingdom, by the name of the United Kingdom of Great Britain and Ireland.

What has been converted is not a relation into a thing but *two parties into one party*, and the consequence is jurisdictional rather than proprietary. After it, an Irish grievance is not a matter between kingdoms admitting of treaty, renunciation or appeal; it is a domestic policy question inside a single realm, to be settled by a majority in which the aggrieved are permanently outnumbered. There is no second party left to be a party.

The fiction that makes this acceptable to the party being absorbed is not that its land is empty, or that it already owned what it is being given, or that its common holdings can be divided. It is that it is not being absorbed at all — that it is *joining*, and joining on stated terms, with a quota. Call the family **incorporation**, and note its distinguishing tell: the instrument specifies, in numbers, the share of the larger body the smaller party is to occupy, and the specification is what makes the transaction read as a merger rather than a conquest. The numbers are in Article Fourth.

The quota

Ireland was to send to the House of Lords four lords spiritual by rotation of sessions and twenty-eight lords temporal elected for life by the peers of Ireland; and to the House of Commons

> One hundred Commoners (Two for each County of Ireland, Two for the City of Dublin, Two for the City of Cork, One for the University of Trinity College, and One for each of the Thirty-one most considerable cities, towns, and boroughs).

A House of three hundred became a delegation of one hundred in a House of six hundred and fifty-eight. Two hundred constituencies were extinguished and their proprietors compensated. The bishops attend four at a time, in rotation, which is a form of presence that costs the Lords nothing in permanent votes. The twenty-eight temporal peers are elected by the Irish peerage as a body, for life, which converts a hereditary right to sit into an electoral prize distributed by a club.

Then the article does something that repays close attention, because it is the settlement rationing the currency it pays in. His Majesty may create Irish peers after the Union, but only

> until three of the peerages of Ireland which shall have been existing at the time of the union shall have become extinct; and upon such extinction of three peerages that it shall be lawful for his Majesty... to create one peer of Ireland,

with the standing intent that the Irish peerage be kept up to a hundred, over and above those Irish peers who hold a British or United Kingdom peerage entitling them to sit at Westminster in their own right. An honour is a thing a crown can normally produce at will and at no cost; here the crown binds its own hands, sets a ceiling, and makes each new Irish peerage wait on three deaths without heirs. The article further provides that Irish peers rank *after* all holders of British peerages of like degree subsisting at the Union. They get the rank, and they get it junior.

And one clause runs the other way, and it is the most valuable single thing the Irish aristocracy received. An Irish peer is not disqualified from being elected to the House of Commons of the United Kingdom, provided he is not sitting in the Lords, though while he sits there he forgoes the privilege of peerage. A British peer could not sit in the Commons. An Irish peer could — which meant that an Irish title, alone among the peerages of the United Kingdom, left its holder eligible for the whole ministerial career that ran through the lower House. The clause reads as a technicality. It is a door.

The named payments

Beneath the constitutional terms sat the transaction, and the transaction is documented because the government kept accounts.

Compensation of £15,000 was voted for each disfranchised borough, payable to the person who had controlled the seat. One proprietor received £52,000; two received £45,000 each; another £23,000. The total came to £1,260,000, and it was charged to the Irish national debt. Peerages and promotions in the peerage were distributed, and something over £30,000 passed through the secret service account.

The disposal of one part of it is worth recording because of what it shows about the settlement's habits. Three of the disfranchised seats were bishop's boroughs — Clogher, Old Leighlin, and St Canice — and the bishops who had controlled them each submitted a personal claim for the £15,000. The commissioners refused the claims and handed the whole £45,000 to the Board of First Fruits, on condition that the interest be spent promoting residence among the clergy of the established church. The bishops did not get

the money. The institution did, and got it in a form that would go on producing clergy houses indefinitely. A settlement that pays an office rather than its occupant has bought something more durable than a man's gratitude.

The asset at the centre

Which brings the module to Article Fifth, and to the single most valuable thing distributed in 1801.

> That it be the Fifth Article of Union, that the Churches of England and Ireland, as now by law established, be united into one Protestant Episcopal Church, to be called the United Church of England and Ireland; and that the doctrine, worship, discipline and government of the said United Church shall be and shall remain in full force for ever, as the same are now by law established for the Church of England; and that the continuance and preservation of the said United Church, as the established Church of England and Ireland, shall be deemed and taken to be an essential and fundamental part of the Union.

Set the clause beside the arithmetic it protects. The established church of Ireland was the church of somewhere around a tenth of the island's population. It held the cathedrals, the parish churches, the glebe lands, and the plantation endowments granted to it in Ulster in 1610. It drew tithe — a compulsory tenth of agricultural produce — from the whole rural population regardless of confession, so that the Catholic tenant and the Presbyterian tenant paid for the maintenance of a clergy neither of them attended. Its bishops sat in the Lords. Its livings were patronage. And Article Fifth declared its continuance not merely lawful but constitutionally entrenched — *an essential and fundamental part of the Union* — which is to say that the smaller confession's establishment was made a term of the treaty by which the country had been absorbed.

That entrenchment was not decorative and everyone concerned knew what it was for. When the establishment came under attack at Westminster, the article was invoked as a procedural bar: on 27 May 1856, and again on 30 March 1868, the Commons had the Fifth Article read aloud from the table by the Clerk before the debate could proceed, so that members might be reminded what the constitution said before they discussed altering it. The Irish Church Act of 1869 disestablished it anyway, and how that became possible is Module 9's business. What belongs here is the fact that in 1801 the settlement's authors thought the establishment worth writing into the founding instrument in the strongest language available to them, and that for two generations the language worked.

The jurisdiction nobody legislated

And now the part of the settlement that is not in the Act of Union at all, and which bound the class harder than anything that is.

Local government in Ireland was the county grand jury. Twenty-three men, selected by the High Sheriff of the county, who was himself chosen annually by government from a list supplied by the assize judges. They were the county's principal landowners, and after the penal legislation of the early eighteenth century they were, as a matter of course, Protestant. They assembled twice a year at the spring and summer assizes, and there they did two things: they presided over serious criminal business, and they transacted the whole fiscal and administrative business of the county.

That second function is the one that matters here. The grand jury levied the county cess — the local tax — and it approved *presentments*, the proposals for works to be paid for out of it: roads, bridges, courthouses, gaols, infirmaries, fever hospitals, dispensaries. It therefore held, in the same twenty-three pairs of hands, the power to set a tax and the power to decide what the proceeds were spent on and by whom.

Follow the money round the circle. The cess was levied on the *occupier* rather than the owner, which is to say on the tenant, and it stayed that way until the Land Act of 1870 relieved the smaller tenants of it. Landowners submitted proposals for works, frequently through an employee. The works were then carried out by their own tenants, whose payment could be set against the rent they owed. R. B. McDowell's summary of the early nineteenth-century operation of the system is that Ireland's notably good road network owed a great deal to the facilities road-building afforded for spending public money on private purposes; contemporaries called it jobbery and complained about it continuously, and the office of county surveyor was created in 1817 partly to restrain it.

An unelected body of proprietors, appointed by an officer whom the government appointed, taxing the other confession's tenants, and approving contracts to be executed by those same tenants at rates it set itself. That is what "who got what as far as authority" looks like when it is written out. It was not conceded in 1801 because it did not have to be; it was simply left alone. And it survived every reform of the century — Emancipation, the tithe settlement, disestablishment, three Land Acts — until the Local Government (Ireland) Act of 1898 transferred its powers to elected county councils.

The parallel state, built beside rather than against

The settlement of authority in Ireland has a pattern, and once it is visible in one place it is visible everywhere.

Justices of the peace were appointed by the lord lieutenant from among the landed gentry, and in the ordinary run of things the same men who sat on the grand jury sat on the bench. From 1814, and systematically after 1836, the Castle began appointing its own salaried magistrates — resident magistrates, paid from the centre, posted where the government wanted them, and answerable to Dublin rather than to the county. It did not abolish the gentry's commission of the peace. It seated a paid official beside it.

That is precisely the manoeuvre already visible in the armed side of the arrangement. The yeomanry — local corps raised by landlords from their own tenants, officered by those landlords, quartered where they lived — was not disbanded in a confrontation. A constabulary was built next to it from 1814, made permanent in 1822 and national in 1836: armed, barracked, centrally paid, centrally commissioned, posted away from home districts, and recruited increasingly from the Catholic population. The gentry's force was not taken away. It was made unnecessary.

And the executive itself was preserved rather than merged. The Union abolished the Irish parliament and kept the Irish government. Dublin Castle continued with a lord lieutenant, a chief secretary and an under-secretary, and as the century went on the newly created boards and inspectorates — police, education, public works, health — were placed under the Chief Secretary's Office rather than under any local body. Ireland after 1801 was a country inside the United Kingdom with no legislature of its own and a full separate administration of its own, and that administration was a patronage machine whose appointments ran through a minister sitting in the British cabinet. The chief secretaryship became a posting for ambitious young politicians on their way up.

So the alignment instrument, in the end, is a payroll and a career ladder. The Ascendancy after the Union had the fullest set of openings available to any provincial elite in Europe: a hundred Commons seats and twenty-eight Lords seats at the imperial centre; a peerage rationed but real; the established church with its bishoprics, deaneries and livings; the county bench and the grand jury; the Castle's boards and inspectorates; commissions in an army permanently at war; and beyond all of it the East India Company's service and the colonial administrations, which took Irish Protestant gentlemen's sons in numbers out of all proportion to their share of the United Kingdom's population. A younger son with no land had somewhere to go, and everywhere he could go was reached through the connection.

The consideration, and what changed about it

Here is the analytic heart of the module, and it is a comparison between two instruments two centuries apart, addressed to the same class.

The Ulster plantation conditions of 1609 granted land on terms requiring the grantee to build a fortified house, seat British tenants around it, keep a store of arms sufficient to furnish a competent number of able men, and have them mustered every half year. What that grant bought was **armed service**. It is the medieval form of the bargain, and the framework's expectation of it is exact: a grant purchasing armed service leaves a rival with a retinue, and installs a civil-war risk in the clause that solved the coordination problem. Ireland paid that bill in 1782, when eighty-eight thousand men under arms produced a legislature, and again in 1798, when the commander-in-chief recorded that the resulting force was more dangerous to the population than to France and the viceroy wrote privately that the yeomanry had saved the country and now led the rapine.

The settlement of 1801 grants nothing physical and buys something different. Its consideration is **political compliance**, and it pays in seats, precedence, jurisdictions, church revenues and offices. Nothing in the Articles of Union asks any grantee for a man under arms.

What Ireland supplies, which no other case in this corpus has supplied, is the *transition between the two forms, running on one elite, and the mechanism by which it was accomplished*. The state did not confiscate the retinue. It built a salaried substitute beside it and let the retinue fall into disuse, over roughly four decades, while simultaneously multiplying the offices that constituted the new consideration. The yeoman officer of 1798 and the grand juror of 1840 are frequently the same family; what has changed is that the family's standing now rests on a commission of the peace, a seat at the assizes, a living in the gift of a bishop, and a son's commission in a regiment or a writership in India, rather than on the muster in its own yard. And a standing that rests on offices can be withdrawn by the authority that grants them, whereas a retinue can only be taken by a war.

That is the answer to how a state acquires control over an armed garrison class without fighting it. It does not disarm the class. It changes what the class's position is made of.

The default question, down the chain

The framework's test is to ask of every recipient whether he would be better or worse off if the arrangement collapsed. Run it honestly and the answers are not uniform, which is itself the finding.

The Irish peer sitting at Westminster, the bishop in the Lords, the rector drawing tithe from a parish of which almost nobody attended his church, the grand juror levying the cess and approving the contract, the magistrate on the county bench, the landlord's second son with a commission or a Company appointment, the Castle clerk on a pension

list — every one of them held a position that existed because the Union existed, and every one of them would have lost it. That is a chain of alignment that requires no affection between its links and no belief in anything, and it is why the settlement held for a century under men whose private opinion of English government was frequently contemptuous.

Then there are the men the settlement did not seat. The Catholic bishops and the Catholic Committee had been given to understand that emancipation would follow the Union; when Pitt attempted to deliver it George III refused and Pitt resigned in February 1801. What the Catholic interest received from the settlement was therefore nothing it had been promised — though it retained the state-funded seminary at Maynooth, established in 1795, which is a formation question and belongs in a later module. The Catholic forty-shilling freeholder kept the vote he had been given in 1793 and remained ineligible to sit. The Presbyterian tenant farmer of Ulster, who had been disarmed by the crown in 1797 and had fought at Antrim and Ballynahinch in 1798, was inside the settlement as a Protestant, outside it as a dissenter, and paid tithe to the established church like everyone else.

And the Catholic tenant in Mayo or Tipperary paid the cess to a body he could not sit on, the tithe to a church he did not attend, and the rent to a landlord whose title ran back to a forfeiture. If the arrangement collapsed tomorrow he lost nothing he had.

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Reading the Irish settlement against the framework

The principal contribution is that the consideration in a co-optation can be converted after the fact, and Ireland shows the mechanism. The framework distinguishes the medieval settlement, which grants land in exchange for armed service and thereby installs a permanent civil-war risk, from the modern colonial settlement, which performs the same grant with that clause deleted and buys compliance instead — and it instructs a study to name which one it is looking at. Ireland is both, sequentially, on one elite: armed service in the plantation conditions of 1609, political compliance in the Articles of 1801. The transition was not achieved by revoking the earlier terms, which would have meant a confrontation with an armed proprietary class at the moment France was expected to land. It was achieved by **substitution**: a salaried, centrally commanded force built beside the retinue, a paid magistracy seated beside the gentry's bench, and a rapidly expanding supply of offices, seats and church preferments that made position depend on the centre's continuing favour rather than on the muster in the yard. **A state that cannot take a capacity away can make it redundant, and the tell is that the new**

institution duplicates the old one's function while inverting every variable that made it uncontrollable. Expect this wherever an apex must disarm a class it dare not fight, and expect it to take about a generation and a half.

The settlement taxonomy needs an entry for settlements that move jurisdiction rather than property. Vacancy, recognition and divisibility all operate on land and answer the question of how occupied ground becomes grantable ground. Galicia added a fourth operating on an institution's endowment. The Union operates on neither: it converts two parties into one party, extinguishing the smaller party's standing to negotiate by abolishing its separate legal personality, and it makes the conversion acceptable by specifying in the instrument the quota of the larger body the smaller is to occupy. **Incorporation** is the family name, the quota is its signature, and the diagnostic is that the instrument states a fraction — four bishops, twenty-eight peers, one hundred commoners, one new peerage per three extinctions, two parts in seventeen of the expenditure. Where a settlement's central provisions are fractions of a larger whole rather than descriptions of a bounded property, this is the family, and the thing being purchased is the appearance of having joined.

And a sharper observation, offered as a caution rather than a mechanism. The clauses the Union's authors thought most valuable were the ones they wrote down and entrenched, and those are the clauses that were eventually taken back: the church establishment declared *an essential and fundamental part of the Union* was disestablished in 1869, and the fiscal proportion of Article Seventh lasted a little over fifteen years before the exchequers were amalgamated. What was never written into the treaty, because nobody thought it needed protecting, was the grand jury — and the grand jury outlasted every entrenched provision by decades, because a power that was never granted cannot be identified as a concession and therefore never appears on anyone's list of things to withdraw. **An entrenched clause is a visible target; an unlegislated jurisdiction is not.** Where a study is looking for what actually held a settlement together, the instrument will name the negotiated items and will be silent about the load-bearing ones, and the silence is the place to look.

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A note on sources. The Articles of Union are quoted from the enacted text. Articles First, Fourth and Eighth are quoted from the version published by the National Archives at legislation.gov.uk; Articles Fifth and Seventh, both since repealed and therefore absent from the revised text, are quoted from the original as reproduced in several concurring transcriptions and, for Article Fifth, as read aloud from the table of the House of Commons by the Clerk on 27 May 1856 and again on 30 March 1868, which is in Hansard and is the version relied on here. The Union division figures, the £15,000 per disfranchised borough, the individual sums of £52,000, £45,000 and £23,000, the £1,260,000

total charged to the Irish debt, and the sum above £30,000 through the secret service account are as given in the History of Parliament's account of the Union and in the published work on the Castle's accounts. The disposal of the three bishop's boroughs' compensation to the Board of First Fruits, against the bishops' individual claims, is as recorded in the parliamentary and constitutional literature on the disfranchised boroughs.

On the grand juries: the composition of twenty-three landowners, their selection by the High Sheriff, and the sheriff's own annual selection by government from a list supplied by the assize judges are as stated in the National Archives of Ireland's account of the Chief Secretary's Office and Irish administration; the functions — county cess, presentments, roads, bridges, courthouses, gaols, infirmaries — and the transfer of those functions to elected county councils under the Local Government (Ireland) Act of 1898 are consistent across the county archive descriptions of surviving grand jury collections. That the cess fell on occupiers rather than owners until relieved for smaller tenants by the Land Act of 1870, and the practice of proprietors presenting works executed by their own tenants against rent, are drawn from the same descriptions; R. B. McDowell's observation on road-building and the use of public money for private purposes is paraphrased from *Public Opinion and Government Policy in Ireland, 1801–1846*. The creation of the county surveyor's office in 1817 as a check on presentments is likewise from those sources.

Figures and characterisations to treat with care: the proportion of the Irish population in communion with the established church is given here as around a tenth on the basis of the 1834 Commission of Public Instruction, the first systematic count, and no reliable figure exists for 1801. The number of peerages created and promotions made in connection with the Union is given differently by different authorities and no count is asserted here. The extent of Irish Protestant over-representation in the Indian and colonial services is well attested in the literature but is stated qualitatively rather than quantified, since the reliable series are not reproduced here. No individual career is traced through the clause permitting Irish peers to sit in the Commons, though the clause's text is quoted exactly and its effect is as described.

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Part of the collection Patterns of Power. *Tested, never revealed.*

MODULE 3 · THE ROBE

There Was No Resistance to the Law

Module 3 · The Robe — the legitimating narrative of British rule in Ireland, why it was legal rather than sacred, and what happened when the governed learned to quote it back.

The currency that had to be paid

Every order lays a story over its floor, and the story is never invented — it is borrowed from whatever the audience whose compliance actually matters already treats as rightful. The audience that mattered most to the British state in Ireland was not the Irish. It was the British: the electorate that returned the Commons, the taxpayer who funded the garrison, and the members who voted the estimates. And by 1801 that audience had one currency and recognised no other. It was not the divine right of kings, which had been argued out of English politics by 1688 and buried by the Bill of Rights. It was **legality**.

This has a consequence the whole module turns on. A crown that governs by God's decree can say that a thing is right because it is commanded, and the only people qualified to dispute the reading are the clergy who hold the office of interpreting. A state that governs by law says that a thing is right because it is lawful — and the text is then on a shelf, in print, in every barrister's chambers, available to anyone who can read.

The Union's own preamble states the currency in its opening clause: the two parliaments have resolved to concur in such measures as may

> best tend to unite the two kingdoms of Great Britain and Ireland into one kingdom, in such manner, and on such terms and conditions, as may be established by the Acts of the respective Parliaments.

Terms and conditions established by Acts. That is the whole robe in a phrase, and it is worth noting what it does *not* claim. It does not claim providence, or civilising mission, or the right of conquest. It claims that two lawful assemblies agreed to something on stated terms, and that what follows from the agreement is therefore lawful and therefore right.

What the robe had to hold up

The proposition it existed to sustain was that Ireland was not a colony.

Everything in the arrangement depended on this. Ireland sent a hundred members to the Commons and twenty-eight peers and four bishops to the Lords; it was governed by the King's courts, under the common law, with juries; its inhabitants were subjects of the same crown with the same standing before the same judges. A colony is a place governed by a distant power to which its inhabitants do not belong. Ireland, on the robe's account, was a part of the state that governed it — and the argument was not a fabrication, because the representation and the courts and the standing were genuinely there. That is exactly what made it work.

The framework's caution applies with full force here and should be stated before anything else. Law cannot legitimate unless it genuinely constrains, and the powerful must really be held to their own rules a great deal of the time or the belief that makes rule cheap will not hold. British law in Ireland delivered real justice constantly, in ordinary matters, to ordinary people of both confessions. Irish Catholics sued and won. Landlords lost cases. Officials were reprimanded. None of that is an embarrassment to this analysis; it is the mechanism functioning as designed, and a study that treats the courts as theatre will not be able to explain why the Irish spent a century going to them.

But the same robe had to be worn while doing several things that fit awkwardly under it, and watching the tailoring is the module's business.

The working edge: making resistance into crime

The most-used clause of the Irish robe, across the whole period, is the proposition that opposition to the government of Ireland is not politics but **crime**.

The vocabulary is consistent and it repays attention. Rural resistance is *outrage*. Districts in which it occurs are *disturbed*. Combinations to resist are *unlawful assemblies* or *illegal oaths*. The recurring parliamentary formula for the coercion statutes is that the ordinary law has been found insufficient for the preservation of the peace — which is a claim about administration, not about politics, and asks the Commons to authorise an administrative remedy rather than to consider a political grievance.

The Insurrection Act of 1796 sets the pattern in its opening words, reciting that traitorous insurrections had arisen, promoted by persons associating under the pretended obligation of oaths unlawfully administered, and it proceeds accordingly: a district may be proclaimed on magistrates' report, whereupon there is a curfew from sunset to sunrise, houses may be searched without warrant, arrest may be made without charge, trial by jury

is suspended, and a man found abroad after dark may be sent aboard His Majesty's navy. The administering of an unlawful oath was made capital, commuted in the 1807 re-enactment to transportation for life.

Now look at the career of that Act rather than its terms. In force 1796 to 1802. Re-enacted 1807 to 1810. Again 1814 to 1818. Again 1822 to 1825. And the pattern continues down the century in successive Coercion, Peace Preservation and Crimes Acts, up to and past the Act of 1881 under which something over nine hundred and fifty people were imprisoned, including the leader of the Land League, by a Liberal government.

Here is the mechanism, and it is elegant. **The exception is enacted.** Every departure from the ordinary law in Ireland was itself a statute — debated, dated, limited in duration, and renewable. Which meant that at no point could it be said that Ireland was governed outside the law, because the abnormality was lawful, and the very fact that it had to be re-enacted every few years was offered as proof that the normal condition was the ordinary law and this was a temporary remedy. A state that simply suspended the courts would have forfeited the robe. A state that passes a Coercion Act keeps it, and keeps it while doing the identical thing.

The diagnostic is renewal. A genuine emergency measure lapses and is not needed again. A measure re-enacted on a roughly decadal cycle for a century has stopped being an exception and become the constitution — while every renewal debate restates, on the floor of the Commons, that the ordinary law is the rule.

The leash, first pull: Wellington in the Lords, 2 April 1829

A written robe can be read by the people it is worn against, and the people it is worn against in Ireland turned out to include a very large number of lawyers. What follows is the best-documented instance in this collection of a ruler explaining, in public and under his own name, that his legitimating instrument had been turned into a constraint on him.

Daniel O'Connell's Catholic Association had spent the 1820s doing things that were, individually, entirely lawful: collecting a penny-a-month subscription through the parish clergy, petitioning, holding meetings, contesting elections. In 1828 O'Connell stood for County Clare against a sitting minister and won. He was legally entitled to stand and legally unable to take the oath required to sit. The following spring, Wellington — the Duke, the victor of Waterloo, a lifelong opponent of Catholic claims and now prime minister — rose to move the second reading of the Roman Catholic Relief Bill.

He began by describing an organisation of the people, and then came to the question his own party was pressing on him:

> Then we are asked "why do you not carry the law into execution?" Why, my lords, in all that I have stated hitherto there was no resistance to the law. The magistrates were terrified, and did nothing; the troops did not happen immediately to be upon the spot, and there was no resistance... I believe there was no instance of any opposition to the king's troops, and there was no instance in which the law could be carried into execution.

Then he made the comparison explicit, and he chose the sharpest one available to an English audience:

> When we hear noble lords reproaching the government for not carrying into execution the law in Ireland, as it was carried into execution in England, the observation shows that they do not understand the state of things in Ireland. The truth of the matter is, that in England, when the law was carried into execution, in the year 1819, a large body of persons assembled for an illegal purpose; they resisted the order of the magistrates to disperse, and having resisted that order, the magistrates ordered the troops to disperse them; but in this case there were no circumstances of the same kind.

Peterloo is his model of the law working. Ten years after Manchester, the prime minister explains to the House of Lords that the reason Ireland cannot be dealt with in the same way is that the Irish movement has committed no offence for the troops to disperse. He goes on to say that the government considered coming to parliament for a statute to put the Association down, and asks what good it would have done. And he states, flatly, that the movement he is conceding to could not have beaten him:

> They know as well as I do they are not strong enough to wrestle with the king's government, backed by the law; they know perfectly well they would have been the first victims of that resistance.

That sentence should be held very steadily, because it forecloses the sentimental reading of 1829 without excusing anything. Emancipation was not won by a population defeating an army. Wellington says the population could not have. What he also says is that the situation could have continued for years, ungovernable and undefeated, and that the price of ending it by force was one he would not pay:

> if I could avoid, by any sacrifice whatever, even one month of civil war in the country to which I am attached, I would sacrifice my life in order to do it.

And then the passage that connects this module to Module 1's finding about the armed garrison:

> how much more is it to be avoided when we have to arm the people, in order that we may conquer one part of them by exciting the other part against them? My lords, I am sure there is not a man who hears me, whose blood would not shudder at such a proposition.

The commander who had seen what the yeomanry did in 1798 is naming that instrument and refusing it.

Finally — and this is the leash at its tightest — Wellington had to get out of a text. His opponents held that the exclusion of Catholics from parliament was a permanent principle of the constitution of 1688, and he was obliged to answer them by close statutory reading. He works through the Bill of Rights and finds that some things in it are declared permanent — the Protestantism of the Crown, the liberties of the people — and that

> as to these oaths which were enacted on the same occasion, not one word is said about their lasting forever, or as to how long they should last.

He then shows that the Act of Union with Scotland made the parliamentary oaths run *until parliament shall otherwise direct*, that the same oath had already been altered under William and Mary, and that the same statute's requirement of the oaths from army and navy officers had been repealed in 1817 by a noble and learned lord then sitting opposite him. A prime minister with an unbeaten army at his back spent the central passage of the most important speech of his political life doing textual exegesis on hundred-and-forty-year-old statutes, because in the currency his audience recognised, that was the only way to move.

One further thing in the speech belongs in the record. Explaining why the concession was inevitable, Wellington reminded the Lords of what had happened after the last rebellion:

> The government proposed to put an end to the Irish parliament, and to form a legislative union between the two kingdoms, for the principal purpose of proposing this very measure.

The promise made to the Catholic interest in 1800 and not kept in 1801 is here acknowledged from the Treasury bench in 1829, as the reason the bill could not be resisted any longer.

The leash, second pull: the Covenant, 28 September 1912

Eighty-three years later the identical instrument was picked up by the other confession, and the continuity of the argument across the whole period is the module's central structural fact.

The line runs unbroken. Molyneux in 1698 held that the liberties of Englishmen are founded on being governed only by laws to which they consent through their representatives. Grattan in 1782, walking to College Green through the ranks of the Volunteers, invoked *spirit of Swift — spirit of Molyneux*. O'Connell in the 1820s worked the franchise, the petition and the association. Isaac Butt, Charles Stewart Parnell's predecessor, was a barrister; so were O'Connell, John Redmond and Edward Carson. The opposition to British rule in Ireland was, generation after generation, led by men trained in the law the rule ran on.

In 1912 the third Home Rule Bill went through the Commons, lawfully, under a government with a majority, with the Lords' veto removed by the Parliament Act of the previous year. Nearly half a million people in Ulster signed a Solemn League and Covenant against it, pledging themselves

> to stand by one another in defending for ourselves and our children our cherished position of equal citizenship in the United Kingdom, and in using all means which may be found necessary to defeat the present conspiracy to set up a Home Rule Parliament in Ireland.

Read the two halves against each other. The right asserted is *equal citizenship in the United Kingdom* — precisely Molyneux's claim, precisely the standing of an Englishman, claimed by the descendants of the men planted in Ulster in 1610 on condition that they keep arms and not lease to the mere Irish. And the thing to be defeated by all means found necessary is a bill passing lawfully through the parliament of that same United Kingdom, described as a *conspiracy*. The lawful measure is the conspiracy; the resistance to it is the defence of citizenship.

Two months earlier, at Blenheim on 27 July 1912, the leader of His Majesty's Opposition had said in public:

> I can imagine no length of resistance to which Ulster will go in which I shall not be ready to support them, and in which they will not be supported by the overwhelming majority of the British people.

In January 1913 the Ulster Volunteer Force set out to raise a hundred thousand men; in April 1914 it landed German rifles at Larne. The Union's own beneficiaries, holding the

strongest claim on the settlement of 1801 and the loudest voice in the party of order, arrived at armed resistance to an Act of Parliament — and made the journey in the vocabulary of British constitutional right.

Whose belief, and what it cost to buy

The framework asks whose recognition the robe actually required, and applies the revealed-preference test: what did an apex holding uncontested force nonetheless pay for, unforced?

Toward the British audience, the expenditure was continuous and enormous — the whole legislative apparatus of Coercion Acts, inquiries, royal commissions and select committees, each of which produced a public record establishing that Ireland was being governed lawfully and on evidence. Nobody compels a government to appoint a Devon Commission. The elaboration is the measure of the constraint.

Toward the Irish Protestant interest the payment was Article Fifth and the whole structure of Module 2's settlement — a church establishment declared constitutionally fundamental, and a monopoly of local jurisdiction nobody thought to write down.

Toward the Catholic majority the payment was, for a long time, close to nothing, and every instalment that eventually came can be dated to a crisis rather than to a decision. The seminary at Maynooth had been endowed in 1795, before the Union, when the alternative was Irish priests continuing to be trained in a revolutionary France. Emancipation came in 1829, after Clare. The National Schools came in 1831. Disestablishment came in 1869 and the Land Acts from 1870, each of which belongs to a later module and each of which will be dated there to the factional fight that produced it.

That distribution is itself the finding, and it is what the revealed-preference test is for. Where an order holding secure force spends heavily on legitimation toward one population and almost nothing toward another, it has told you which population's belief it thought it needed. The Irish majority's consent was not, in the government's own operating judgement, a thing the arrangement required — until a lawyer with a subscription list demonstrated that it was.

What it costs to take the robe off

One last observation, set down here and picked up properly in a later module.

On 20 October 1920, in a debate in the House of Lords on the conduct of crown forces in Ireland, a speaker put the position in terms this module can use directly: that reprisals were a new feature in Irish history, that so far as he knew there had never before

been a case in which the forces of the Crown were allowed to proceed to lawless acts of vengeance on their own behalf without authority from their proper commanders, and that the closest parallel he could think of was 1798, when irregular levies had traversed the country flogging and shooting on suspicion — outrages, he noted, recorded in the despatches of Lord Cornwallis.

A century of governing Ireland by enacted exception had preserved the claim that the ordinary law was the rule. What was happening in 1920 could not be enacted, was not enacted, and was being conducted by men in crown uniform without their commanders' authority. When that is said aloud in the upper House by a member of the governing class, the instrument that had held the arrangement together since 1801 has been spent — and it was spent by its own custodians, not by the people it was worn against.

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Reading the Irish robe against the framework

The contribution is a property of the legal-rational robe that the framework's account of the trusted-information monopoly does not yet capture: a written robe cannot be defended by the ordinary tools of the seam, because the text is a fixed, public, citable object that anyone can hold. The card establishes that the interpreter's position is structural and can be occupied, crowded or captured, and that a captured seam is foreclosure. That analysis was built on robes whose content is a doctrine — where controlling the interpreters substantially controls the reading, and a heretic can be silenced, unfrocked or burned without the proposition itself being available to the laity in a form they can quote. A statute is not like that. It is printed, dated, indexed, sold, and identical in every copy. **You can silence an interpreter; you cannot un-write a text that sits on the shelf of every barrister's chambers.** So an order that runs by law is obliged to answer challenges in the same currency, and each answer — the judgment, the amending Act, the ministerial explanation — adds another citable text to the shelf. The robe accumulates rather than being maintained, and it accumulates in the direction of whoever is currently reading it hardest.

That predicts something specific and Ireland confirms it across two centuries and both confessions: **a legal-rational order generates its own counter-interpreters, and they will be lawyers.** Molyneux was a member of parliament with an estate; O'Connell, Butt, Redmond and Carson were barristers. The opposition to the Union was conducted, at every stage and from both sides, by men professionally trained in the instrument the Union ran on. Where an order's robe is a doctrine, expect its most dangerous opponents

to come out of its seminaries; where the robe is law, expect them from its bar, and expect the challenge to take the form of holding the order to wording it wrote itself.

The second finding is the mechanism by which such an order departs from its own rule without losing the robe: it enacts the exception. Ireland was governed under emergency powers for a large fraction of the century, and at no point was it governed outside the law, because every suspension of the ordinary law was itself a dated, debated, time-limited and renewable statute. The renewal is the tell. A measure genuinely responding to an emergency lapses and is not needed again; a measure re-enacted every few years across generations has become the constitution while the renewal debates go on restating that it is the exception. **Where a study finds a "temporary" coercive statute in its third or fourth re-enactment, it should stop treating the ordinary law as the order's normal condition and start treating the exception as the order's actual constitution — and should note that the fiction is aimed not at the governed, who are living under the statute and know exactly what it is, but at the metropolitan audience whose belief that the lawful is legitimate is what makes the whole apparatus affordable.**

And a third point, recorded as confirmation rather than addition, because the framework already predicts it and Ireland supplies unusually clean evidence. The card holds that popular pressure reliably changes the price of a policy and thereby the calculation of those who hold the apparatus, and that this is cost rather than authorship. Wellington states both halves himself, in the same speech, in public: that the Association *could not* have beaten the King's government backed by the law, and that the price of ending the situation by force — including the price of arming one part of the population against the other — was one he refused to pay. That is the credible-threat channel operating exactly as the framework describes it, testified to by the man who did the arithmetic, and it should be quoted whenever the distinction between changing a price and forcing an outcome needs demonstrating.

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A note on sources. Wellington's speech of 2 April 1829 is quoted from the text of *Hansard*, new series, volume XXI, columns 41–58, as reproduced in full by the Peel Web collection of primary sources; a second transcription of the same speech differs in minor wording at two of the points quoted here (reading "The magistrates were not called upon to act" for "The magistrates were terrified, and did nothing," and "I have upon former occasions stated" for the corresponding clause), and the Hansard text has been followed throughout. The Ulster Covenant is quoted from the text held by the Public Record Office of Northern Ireland and reproduced in numerous concurring sources; the signature totals of 237,368 men and 234,046 women are PRONI's. Bonar Law's words at Blenheim on 27 July 1912 are quoted from the reports of the rally. The Union's preamble and the Insurrection

Act of 1796 are quoted from their enacted texts, the latter corroborated by the account given in the Commons on 9 July 1807 when the measure was reintroduced. The Lords exchange of 20 October 1920 is in Hansard and is paraphrased rather than quoted here.

Contested or approximate items. The periods of the Insurrection Act's operation — 1796–1802, 1807–10, 1814–18, 1822–25 — and the figure of somewhat over nine hundred and fifty imprisoned under the Act of 1881 are as given in the secondary literature on nineteenth-century coercion and should be treated as approximate; the count of coercion statutes enacted for Ireland across the century varies substantially between authorities depending on what is counted, and no total is asserted here. The characterisation of Maynooth's 1795 endowment as motivated partly by the closure of continental seminaries during the French Revolution is standard in the literature and is stated qualitatively; the grant's amounts and its increase in 1845 belong to the formation module and are not given here. The professional backgrounds of O'Connell, Butt, Redmond and Carson as barristers are not in dispute. E. P. Thompson's finding that law cannot legitimate unless it genuinely constrains, from *Whigs and Hunters* (1975), is paraphrased and credited.

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Part of the collection Patterns of Power. *Tested, never revealed.*

MODULE 4 · FORMATION

The Entire Approbation of His Majesty

Module 4 · Formation — the state's three attempts to acquire a formation apparatus it had not built, and what each of them bought instead.

The problem, restated for a state that arrives late

Formation is the installation of the order's belief in each generation, and the conqueror who does it well ends up with subjects who hold the arrangement up themselves. Every study in this collection asks how it was done. Ireland after 1801 poses the question in an unusual form, because the British state was not arriving at a blank population and had no prospect of forming one.

Two formation systems were already running when the Union came into force, and neither belonged to the government.

The first was the garrison's, and it had been built deliberately, over two centuries, precisely because the crown's earlier settlers had been formed by their neighbours instead. The 1366 diagnosis — English of the land forsaking the language, the marriages and the law, so that *the allegiance due to our lord the king* decayed — had been answered by plantation conditions that determined where a man lived, whom he could lease to, and what he kept in his house. By 1801 the result was in place and self-sustaining: an established church with its parishes, livings, glebes and cathedrals; a university; a set of confessional habits about marriage and burial and neighbourhood; the Orange Order, founded in 1795, with its lodges and its calendar; and a yeomanry that mustered the men of an estate under their landlord twice a year. It was a formation organised around a *distinction* rather than a doctrine — the good subject defined substantially by what he was not — and it worked. The Antrim farmer signing a Covenant in 1912 is its product.

The second was the majority's, and the state had not built it, did not own it, and could not abolish it. The penal code had tried and failed; by 1801 the Catholic Church in Ireland had bishops, parishes, a devotional year, a hold on marriage and burial and schooling, and the entirely unbought loyalty of about four-fifths of the population.

So the nineteenth-century question in Ireland is not the ordinary formation question. It is a narrower and more interesting one: **can a state acquire direction over a formation**

apparatus it did not build? The government tried three times, by three different methods, and the results are unusually legible.

Attempt one: buy the collar

The cleanest attempt came first, and it is the one that shows most plainly what the government thought it was doing.

Deference does not attach to a man; it attaches to the mark he bears, and transfers to whoever else bears it. The faithful of a parish do not defer to a particular priest on the strength of having examined him. They defer to the collar, and to the bishop whose hand is behind the collar, and would defer to his successor tomorrow. Which means that a state wanting to direct what a population is told does not need to persuade anybody. It needs only to acquire a say in **who is permitted to wear the mark**.

That is exactly what was proposed. On 25 May 1808, moving for a parliamentary committee on the Catholic claims, Henry Grattan told the Commons he was authorised to propose

> that no Catholic bishop be appointed without the entire approbation of His Majesty.

Two days later Lord Grenville put the same proposal to the Lords. The offer on the table was substantial: emancipation, the whole Catholic question, in exchange for a crown veto over episcopal appointments. Apply the revealed-preference test and the valuation is explicit — a government under no compulsion to concede anything was prepared to trade the entire structure of Catholic disability for a say in who wore the collar. That is what it thought the collar was worth.

It did not get it. The Irish bishops met on 14 September 1808 and formally protested. A relief bill carrying a veto failed in 1813. In 1814 the English Catholic Board, whose aristocratic leadership favoured the arrangement, took the question to Rome over the heads of the Irish hierarchy — and the timing was as favourable to the British as it could be, the Pope being a prisoner of Napoleon and the papacy dependent on British power. In February 1814 Monsignor Quarantotti, acting as secretary of Propaganda, issued a rescript permitting the securities the government sought. Its operative words were a permission rather than a command — *haec cum ita sint, indulgemus* — leaving Catholics free to accept or refuse.

The Irish bishops refused, and refused in the strongest term available to them: they could not accept the bill, they declared, without incurring the guilt of schism. They sent Daniel Murray and John Milner to Rome. Pius VII, restored, said that Quarantotti ought

not to have written the letter without authority from the Holy See, and appointed a commission; the eventual statement, issued by Cardinal Litta from Genoa on 26 April 1815, set out much narrower terms. And in Dublin, O'Connell moved that the Catholic Board send the bishops its thanks — carried by a large majority against the opposition of the same lay aristocratic interest that had gone to Rome.

That vote is worth pausing on. The laity, offered emancipation at the price of a state veto, sided with the clergy against their own gentry. The mark was not for sale, and its wearers' congregations backed them.

The consolation prize, and what it actually purchased

Having failed to acquire direction, the state went on paying for capacity, which is a different thing, and the distinction is the module's central analytic point.

The Royal College of St Patrick at Maynooth had been founded in 1795 by the Irish parliament, at a moment when the French and Low Countries seminaries at which Irish priests had been trained were being closed by the Revolution. The logic was defensive and explicit: better a clergy trained at home under the government's eye than one educated abroad and returning with continental politics. The original grant is given differently by different authorities — figures of £6,000 and £8,000 both appear — and by the 1840s it stood at around £9,000, likewise variously reported.

In 1845 Peel tripled it. The Maynooth College Act raised the annual grant to about £26,000, added a one-off £30,000 for buildings, and — the significant provision — placed the grant on the Consolidated Fund, so that it ceased to be voted annually and escaped the yearly hostilities of the estimates. Peel's reasoning survives in his own Cabinet papers, and the historian Norman Gash's account of them gives it plainly: Ireland caused him great anxiety; reforms should be made now, while it was still safe to make them; historical parallel showed that resisting reform led to enforced concession later; and law and order in Ireland depended on the co-operation of the Catholics. The immediate object was the Repeal agitation, and the hope was to detach the clergy from it.

The cost at home was severe and is a measure of the seriousness. More than a million signatures were collected against the grant. The bill passed 323 to 176 with Whig votes, split the Conservative party, and contributed to the rupture that produced the modern party system. Gladstone, who had published a book in 1838 arguing that a Protestant state was obliged to support only Protestant institutions, resigned from the Cabinet over it and then voted for it from the back benches.

And what did the money buy? A larger, better-housed, better-staffed seminary producing more priests. It did not buy their direction, and the record on that is not

ambiguous. The Maynooth-trained clergy of the following decades were the parish-level organisers of the Tenant League, of the Land League, and of the constitutional nationalist party; the hierarchy took its own line on each rising and on each land agitation, sometimes against the movement and sometimes with it, and in neither case because the Treasury was paying its students' bills. The framework's expectation is met exactly: **an apex that funds a counterweight cannot own it**, because a counterweight it owns weighs nothing.

The government's own final judgement on the transaction is the most eloficient evidence available. When Gladstone disestablished the Church of Ireland in 1869 he also ended the Maynooth grant, commuting it for a lump sum of something in the order of £370,000. Seventy-four years of payment were wound up, and what the state had to show for them was an institution it had made stronger and never once been able to steer.

The addition Ireland makes to that finding is about sequence. The Veto controversy came first, and it shows that the British government understood the distinction between buying capacity and buying direction perfectly well. It went for direction, was refused by the carriers and by the laity together, and only then settled into paying for capacity — which it continued to do for another half-century while the capacity was used against it. So: **an apex found funding a formation it does not control has usually already tried to control it and failed. The endowment is the second-best outcome rather than the plan, and a study that finds the endowment should go looking for the earlier refusal.**

Attempt two: install a new one

The second method was more ambitious and, had it worked, would have solved the problem permanently. It was to build a common formation across the confessional line, at public expense, from childhood.

The National System of Education was established in 1831, and its governing principle is in Chief Secretary Edward Stanley's letter to the Duke of Leinster, first president of the new board. The system was to be

> a system of education from which should be banished even the suspicion of proselytism, and which, admitting children of all religious persuasions, should not interfere with the peculiar tenets of any.

The mechanism was the separation of the school day. Combined literary and moral instruction, to children of every denomination together, on four or five days of the week, explicitly not doctrinal or dogmatic; separate religious instruction on the remaining days, or before or after the ordinary school hours, from each child's own clergy. It was, on

paper, a serious and well-funded attempt to produce a generation of Irish children who had sat in the same room.

It did not happen. The system was not resisted, refused or destroyed; it was taken up enthusiastically, and captured. Local managers were in practice clergymen; schools attached themselves to parishes; and within a few decades the national schools were denominational in fact while remaining mixed in law, so that the Catholic child and the Protestant child were educated at state expense in separate buildings by teachers answerable to their own clergy. The state paid for the plant and the salaries. The carriers supplied the management and got a national school system.

That is the failure mode worth naming, because it is not the one a study would predict. The framework holds that a state can endow an existing formation but cannot install a new one against the carriers, and it is natural to imagine the failure looking like refusal — boycott, denunciation, empty classrooms. Ireland's went the other way. **An installed formation among a population with an intact clergy is not rejected; it is staffed.** The state that builds it has built its rival a school system, and the more generously it builds, the better the rival's school system is. Where a study finds a non-denominational or non-sectarian educational scheme in a confessionally divided country, the question is not whether it was accepted but who ended up managing the buildings.

One further matter must be handled carefully, because it is the strongest available objection. The national schools taught through English, and the Irish language declined steeply across the same century, which invites the conclusion that the installation succeeded after all — that the state failed to make a common citizen but succeeded in making an English-speaking one. The evidence will not carry that. The retreat of Irish was under way before 1831; the Famine and the emigration that followed it fell hardest on precisely the poorest, most Irish-speaking districts of the west and south-west, removing speakers by death and departure on a scale no school system could approach; and the language's association with poverty made parents themselves want English for their children. The schools were part of a process whose principal drivers were demographic and economic. The honest formulation is that **the state got the language and lost the collar, and it did not get the language by means of the schools.**

Attempt three: reach into its own church

The third attempt is the one that is easiest to leave out of a formation module, and it is the most revealing, because here the state was dealing with an institution it actually owned.

The Church of Ireland was established by law, its bishops sat in the Lords, its continuance had been declared *an essential and fundamental part of the Union*, and it was

maintained by tithe drawn from the whole rural population. It also had twenty-two bishoprics and archbishoprics for a communion amounting to something around a tenth of an Irish population the census of 1831 put at 7.77 million, and a number of its parochial appointees had no parishioners at all, services where they occurred being performed by curates paid a fraction of the stipend.

The Church Temporalities Act of 1833 addressed this. It suppressed ten of the twenty-two sees, merging dioceses as they fell vacant; abolished the vestry assessment, the local church rate levied on the whole parish; created ecclesiastical commissioners; and redirected surplus revenues. Considered as administration it was overdue and moderate, and the thirty Anglican bishops in the Lords acquiesced in it.

Considered as an act of state toward a formation apparatus it produced a reaction entirely out of proportion to its terms. On 14 July 1833 John Keble, professor of poetry and Fellow of Oriel, preached the assize sermon at the University Church of St Mary in Oxford on a text from the twelfth chapter of the first book of Samuel, and called what parliament was doing *National Apostasy*. Newman dated the beginning of the Oxford Movement to that sermon. The question Keble and his associates took from the Irish bill was whether the church was a department of the state, to be reorganised by a legislature that now contained members who did not belong to it, or an ordinance of God — and the movement that followed reshaped Anglican theology, liturgy and self-understanding for a century, and sent a number of its leading figures to Rome.

Set the three attempts in a row. The state could not acquire direction over the Catholic Church even when it offered emancipation for it. It could not install a shared schooling because the existing clergy simply staffed what it built. And when it reorganised the church it *did* own — its own establishment, by statute, with the bishops' assent — it detonated a defensive revival inside that church which its authors had not remotely anticipated. Three attempts, three distances, and at every distance the same discovery: the position of trusted interpretation is not an arm of government, and does not become one by being funded, legislated for, or established.

What actually formed the two peoples

Which leaves the formation that was really running, and it ran on its own resources.

For the garrison, the year was scored by the Twelfth of July and the lodge, by the parish church of the establishment, by the assize and the muster, and by a set of confessional practices about marriage, burial and hiring that kept the boundary continuously visible. The Orange Order, founded in Armagh in 1795 after sectarian faction fighting, gave the Protestant tenant farmer a rank, a ritual, an annual march and a claim on the gentry above

him, and it did more work in binding the small Protestant farmer to the settlement than any instrument the state designed.

For the majority, the parish did the work — the mass, the station, the pattern at the holy well, the priest's presence at birth, marriage and death — and after the Famine that formation intensified sharply. The historian Emmet Larkin argued, in an influential and much-debated thesis, for a devotional revolution in Irish Catholicism in the quarter-century after 1850, associated with Paul Cullen and the reforming Synod of Thurles of that year: a standardisation and deepening of practice, a great increase in the number of priests and religious relative to population, the shift of devotion from the field and the well into the chapel, and the arrival of the parish clergy as the acknowledged leadership of the community. Larkin's dating and his causal account are contested by other historians, and the argument should be reported rather than adopted.

But the timing is the point regardless of the debate's outcome, and the timing is not in dispute. The strongest intensification of Catholic formation in modern Irish history happened *after* the British state had spent fifty years paying for the seminary that trained its clergy, and it ran in a direction the state had not chosen and could not have chosen. The good subject that formation produced was pious, temperate, obedient to his priest, respectful of property, hostile to secret oath-bound societies — and, by the end of the century, a reliable voter for a party pledged to dismantle the constitutional arrangement the state had spent that money to protect.

Reading Irish formation against the framework

The principal contribution concerns sequence, and it makes the counterweight-ownership finding sharper and more useful. The framework holds that an apex which funds an existing formation strengthens it without acquiring the ability to steer it — a counterweight you own weighs nothing. Ireland confirms that at length: seventy-four years of grants to Maynooth, tripled at severe domestic political cost in 1845 with the explicit object of detaching the clergy from the Repeal movement, produced a stronger clergy that organised the land agitation and the national party, and was wound up in 1869 with nothing gained. But the case adds the step before the endowment. **The state tried to buy direction first, understood exactly what it was buying, and offered the whole Catholic question for it.** Grattan's motion of May 1808 asked that no Catholic bishop be appointed without the entire approbation of His Majesty, because whoever decides who wears the mark inherits the deference attached to the mark, and a government that

held that power would have needed no schools and no grants. It was refused by the bishops, and the refusal was ratified by the laity against their own aristocracy. Only then did the money start. So: **an endowment of an unowned formation is the residue of a failed attempt at ownership, not a policy chosen on its merits, and a study that finds one should look for the earlier refusal — it will usually be documented, because a demand of that kind has to be made in public.**

The second contribution is the failure mode of an installed formation, which is not the obvious one. The card holds that a state cannot install a new formation against the carriers. The natural expectation is refusal — a boycott, a denunciation, empty schools. The Irish national system of 1831 was designed to banish even the suspicion of proselytism and to admit children of all persuasions without touching the tenets of any, and it was not refused. It was welcomed, filled, and quietly converted into two parallel denominational systems under clerical management at public expense. **The carriers do not fight a state formation apparatus; they staff it.** The state pays for the buildings, the salaries and the inspectorate, and the existing clergy supply the managers and the teachers and take delivery. That is a considerably worse outcome for the state than refusal would have been, because refusal leaves the money unspent, and it should be the first thing looked for wherever a colonial or reforming administration establishes a non-sectarian school system in a confessionally organised country.

And a confirmation, recorded without claiming it as new, because it strengthens something the framework already holds. The card insists that the position of trusted interpretation is structural rather than manufactured, and can be occupied, crowded or captured but never simply operated as an arm of the state. Ireland tests that at the hardest possible setting — a church established by statute, endowed by the state, its bishops sitting in the legislature, its continuance written into the constitutional instrument — and the answer holds. When parliament reorganised the Church of Ireland in 1833 with the acquiescence of its own bishops, the response was a sermon in Oxford and a movement that changed Anglicanism. Even a church the state has established is not a department of it. Where an order treats its own established religion as an administrative branch, expect the branch to discover a doctrine of its independence at the first reorganisation, and expect the discovery to be made not at the periphery being reorganised but at the metropolitan centre, by men who had not previously thought the question urgent.

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A note on sources. Grattan's proposal of 25 May 1808 is quoted as reported in the standard accounts of the Veto controversy, which draw on the parliamentary record and on John Milner's contemporary *Supplementary Memoirs of the English Catholics*; Grenville's corresponding motion in the Lords is

dated 27 May 1808 in those accounts. The sequence of the controversy — the Irish bishops' protest of 14 September 1808, the defeat of the 1813 bill, the Quarantotti rescript of February 1814 with its operative words *haec cum ita sint, indulgemus*, the mission of Murray and Milner, Pius VII's statement that Quarantotti ought not to have written without authority, and Cardinal Litta's letter of 26 April 1815 — is drawn principally from the 1913 *Catholic Encyclopedia* article on the Royal Veto, which is in the public domain and reproduces the documents, and is corroborated by the modern reference literature. That article is a partisan source on a contested confessional question and is relied on here for chronology and for the wording of documents rather than for judgement. Stanley's letter to the Duke of Leinster of 1831 is quoted from the standard reproduction of its governing principle.

Figures given with their disagreements. The original Maynooth grant of 1795 appears in the sources as £6,000 and as £8,000; the pre-1845 figure appears as £9,000, £9,250 and £9,500; the 1845 grant appears as £26,000 and £26,360, with a one-off £30,000 for buildings, and the division on the bill is given as 323 to 176. The commutation on disendowment in 1869 is given as approximately £370,000. The suppression of ten of twenty-two Church of Ireland bishoprics by the Church Temporalities Act 1833 is not disputed; the Act's date of royal assent is given as both 31 July and 14 August 1833 in different sources and is not resolved here. The Irish population figure of 7.77 million is the 1831 census return. The proportion of the population in communion with the established church is given as around a tenth on the basis of the 1834 Commission of Public Instruction.

Modern scholarship paraphrased and credited: Norman Gash on Peel's Cabinet memoranda of February 1845 and on the reasoning behind the Maynooth increase; Emmet Larkin's thesis of a post-1850 devotional revolution in Irish Catholicism, which is influential and contested, and is reported here as an argument rather than adopted as a finding — its dating, its causal account and the degree of change it posits are all disputed in the subsequent literature. No figures for mass attendance before or after 1850 are given here, since the reconstructions vary widely and rest on contested sources. The account of the national schools becoming denominational in practice is the standard one in the educational literature and is stated qualitatively; the date at which the process was substantially complete is given differently by different authorities. The claim that Catholics were admitted to Trinity College from 1793 is not disputed, but the later dates at which its endowed places were fully opened are not asserted here.

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Part of the collection Patterns of Power. *Tested, never revealed.*

MODULE 5 · THE COST COLUMN

More Than a Quarter of an Acre

Module 5 · The Cost Column — what compliance was worth to the man at the bottom, what refusal cost him, and what happened to the arithmetic when the door stood open for a century.

The ledger, and how many of them there are

The man at the bottom complies because the sum comes out that way, and the sum has two sides. On one side is what the arrangement gives him — order, a court that works, a road, a school, a holding he can keep. On the other is what refusal costs him, which is set by two dials: the credibility of the force that punishes resistance, and the availability of any door through which he might leave. Where the benefit is thin and the belief absent, the order must make the cost enormous. Where a door stands open, the extractor must bid for the subject's staying, or lose him.

Ireland is the case in this collection where the door stood widest, for longest, and led somewhere better. It ought therefore to be the case where the floor beneath the man at the bottom rose furthest and fastest. Something did rise, eventually — but not by the mechanism the framework predicts, and the divergence is what this module is for.

It also requires more than one ledger, because the men at the bottom were not one class. There is the tenant farmer of the north, holding under a custom that gave him a saleable interest in his own holding. There is the tenant farmer of the south and midlands, holding at will, whose improvements accrued to his landlord. And there is a third layer below both — the cottier and the landless agricultural labourer, who held no tenancy at all, who was not addressed by the tenant movements that spoke for the men above him, and who is the person who actually disappeared from Ireland. Any account that runs two columns will get the century wrong at the bottom.

The benefit column, filled honestly

It is not empty, and a study that leaves it empty is doing propaganda.

The Union brought a country that had suffered a savage rebellion in 1798 into a long period without one. The courts functioned, and functioned for ordinary people in ordinary matters: Catholic tenants sued and won, and the ordinary civil and criminal law of the United Kingdom was administered in Ireland with a competence and a regularity

that the eighteenth century had not managed. A national school system was established in 1831 and put a school within reach of most children in the country, a generation before England had anything comparable. A Poor Law was extended to Ireland in 1838, creating workhouses and a rated system of relief where none had existed. Dispensaries and fever hospitals were built, and the grand juries — whatever else may be said of them — did build the roads and the bridges. The armed constabulary that policed the countryside was also, for the man who had been robbed, the only body that would come when called.

And after 1870 the benefit column swells enormously. The Land Acts gave first compensation, then judicial rents and security of tenure, then state credit to buy the freehold outright. By the end of the period the Irish tenant farmer owned his farm, on terms financed by the British Treasury, and no peasantry in Europe had done better out of its state.

None of that is nothing, and the man deciding whether to comply in 1855 was not deciding in ignorance of it. The question is what stood on the other side.

The cost column, south and west

Start with the tenancy, because everything else follows from it.

The great majority of Irish farmers across the country held as tenants at will or from year to year, without a lease. The consequence that mattered most was not insecurity in the abstract but a rule about improvements: what a tenant built, drained, fenced or cleared became the landlord's property, and could be reflected in the next rent. A man who improved his farm had improved his landlord's asset and raised his own rent, and if he left or was put out he took nothing with him. That single rule did more to shape Irish agriculture than any statute, because it made improvement irrational for the person best placed to do it.

On top of the rent came the tithe, a tenth of agricultural produce paid to the established church of a tenth of the population, resisted in the tithe war of the early 1830s and converted into a rent-charge in 1838 — which did not abolish it but folded it into the rent, where it stayed until disestablishment in 1869. Then the county cess, levied on the occupier, set and spent by the unelected grand jury of landowners. Then the poor rate after 1838. And beneath the farmer, the cottier taking conacre — a patch of manured ground let for a single season, giving no tenancy and no interest of any kind, paid for in labour or after harvest, and carrying the whole risk of the crop.

The dial of force stood behind all of it. Coercion statutes were on the books for a large share of the century, and the ordinary instrument of the cost column was not the army but the process server, the bailiff, and the constabulary escort that came with them. The floor

of force in Ireland presented itself to the individual subject as an armed policeman standing beside a man with a writ at his own door.

The door

Now the other dial, and it was wide open.

The census of 1841 returned 8,175,124 people. The census of 1911 returned 4,390,219. In a century when the population of Europe roughly doubled, Ireland's halved. Something in the order of six million people left the island between 1841 and 1900 — more than the entire population at the start of the century — and as many as four and a half million Irish arrived in the United States between 1820 and 1930.

The framework's prediction for an open exit is unambiguous and it is the lesson of the Black Death: where the subject can go somewhere and survive, his threshold rises, and to keep him at all the extractor must leave him enough to make staying better than going. Labour becomes scarce, and scarce labour has to be bid for.

That is not what happened, and the reason is the most important thing in this module.

The model assumes the extractor wants the labour. After the Napoleonic wars the price of corn collapsed, and the growth of British industrial cities created a large and rising market for meat and dairy. Grazing became more profitable than tillage across much of Ireland, and grazing requires very few hands. The Irish landlord's most profitable use of his land, from roughly the 1820s onward, was a use that did not require most of the people living on it. Their departure was not his loss. It was his object.

So exit and clearance pointed in the same direction, and the landlord did not bid for the tenant's staying — he paid for his going. Landlord-assisted emigration is documented across many estates: passages funded, sometimes out of the poor rate whose burden the departure would reduce. Lord Palmerston, an Irish peer who would twice be prime minister, sent something like two thousand people from his Sligo estate to North America in 1847.

Where the extractor's preferred use of the asset does not require the subject, the exit dial does not work in the subject's favour at all. It becomes an instrument in the extractor's hand, and he will subsidise it. That is a correction to the model rather than an exception to it, and it is testable elsewhere: wherever enclosure, mechanisation or a shift from arable to pasture reduces the labour requirement, expect an open door to empty the countryside rather than to raise the wage.

Where the two dials met

The Poor Law Extension Act of 1847 is where the arithmetic became explicit, and it is the reason for this module's title.

The Act extended relief, including for the first time outdoor relief, in the second year of the potato failure. Attached to it was a clause moved by William Gregory, member for Dublin and a Galway landlord, providing that no person occupying more than a quarter of an acre of land should be eligible for relief. It took effect in September 1847.

Read what that instrument does to a ledger. A man with three acres and a failed crop had a choice between food and his holding, and could not have both. To eat he must surrender his land; having surrendered it he was a pauper with no means of subsistence when the crop recovered. Many landlords, whose poor-rate liability fell on them entirely for the smallest holdings and who wanted the land consolidated in any case, refused partial surrender and demanded the whole holding and the dwelling with it. Tenants who did surrender frequently returned from the workhouse to find their houses levelled. Many chose to keep the land and starve.

The *Cork Examiner*, on 16 February 1848, wrote of the quarter-acre clause that

> no other word could so well describe the misery and wretchedness, and death that are daily and hourly the results of its operation in this land of sorrows.

The estimates of what followed vary and should be given as such: something over a quarter of a million people evicted between 1849 and 1854, perhaps half a million leaving their holdings altogether in that period, and in the order of two hundred thousand small holdings obliterated. Famine mortality is usually given at around a million and is a reconstruction rather than a count; something like a million and a half people emigrated between 1845 and 1855.

The framework holds that the man at the bottom endures any burden that leaves him alive, and rises only when compliance itself means death. The Gregory clause is the rare instrument that makes that formulation literal rather than figurative: it constructed, by statute, a position in which holding the land and eating were mutually exclusive. And there was no rising. The exit door and the mortality between them removed the population that would have had to do it.

The two layers

Which brings the module to the comparison that explains the rest of the century, and it is not a comparison between confessions. It is a comparison between two customs.

In Ulster, and patchily in some districts elsewhere, there prevailed an unwritten custom — tenant right, or the Ulster custom — under which a tenant paying his rent was not evicted at will, and under which a tenant leaving his holding could sell his *interest* in it to the incoming tenant. The interest represented, roughly, the accumulated value of what he had put into the land: the clearing, the fencing, the drainage, the buildings. The sums were substantial, reported in some places at as much as £10 an acre.

Consider what that gave a northern tenant that a Connaught cottier did not have. First, practical security: a landlord who evicted a paying tenant was breaking a custom his neighbours recognised, and would find the incoming tenant unwilling to pay. Second, a share in his own improvements, which made improving rational. And third — the point that matters most for this module — **capital with which to leave**. The tenant-right payment from the incoming tenant was frequently the money that took a family to America. The Ulster tenant could exit *and* realise the value of what he had built; the Mayo cottier could only exit, with nothing, or stay.

That is your two layers, and it explains a great deal that confession alone will not. The Ulster Protestant tenant farmer was inside the settlement not principally because of what he believed but because he held a saleable asset that the arrangement had created and that the arrangement protected. His benefit column had an entry in it. And the moment that entry came under pressure in the 1870s he agitated over land in company with Catholic tenants in the south, because the interest was an interest and not a creed — which is exactly what a study built on confession cannot explain, and what a study built on position predicts.

The corollary should be flagged forward rather than argued here. Gladstone's Act of 1870 gave the Ulster custom the force of law where it existed and offered the rest of the country a weaker version; the Act of 1881 extended the three demands — fair rent, fixity of tenure, free sale — to the whole island; and the purchase Acts eventually gave every tenant the freehold. Which means that by the 1900s the thing that had made the northern tenant's position distinctive had been given to everybody. What he then had that others did not was no longer an asset. It was a confession and an industry, and the politics of 1912 should be read with that in mind.

And below both layers sat the man nobody legislated for. The Tenant Right League of 1850 and the Land League of 1879 spoke for tenants. The programme of the first did not address the cottiers and farm servants and their dependants, promising only to consider some measure for them at an early opportunity; the second was a movement of farmers. The agricultural labourer, who held nothing and therefore had nothing to be given security in, is the class that vanished. The land question in Ireland was settled, comprehensively and generously, for the people who had a holding to settle.

Did the floor rise?

It did. Wages for farm labourers, which had been at or below subsistence before the Famine, rose across the second half of the century; holdings consolidated; the diet improved; and the standard of living of those who remained went up substantially by 1900.

But the mechanism was not the one the model names, and the honest statement is uncomfortable. The floor rose because the number of people standing on it had been reduced by roughly half — by a million deaths and by several million departures — not because any extractor was compelled to bid for anyone's staying. Labour did become scarce and was paid better; that is real. It became scarce by subtraction.

There is one exception, and it is the third of the framework's three routes: the subject making his own extraction costly. That is precisely what the Land League did from 1879 — rent strikes, the boycott, resistance at evictions — and it is the one mechanism in the Irish century that raised the floor without first removing the people. It belongs in a later module, but it should be noted here that it worked, and that it worked in the way the framework says such things work: by changing the price of collecting a rent, not by beating anybody's army.

What the emigrants did next

And now the finding that Ireland contributes and that no peasant case in this collection has produced.

The framework treats exit as a safety valve: the discontented leave, the pressure drops, and the order is relieved of the people most likely to have made trouble. That is a reasonable expectation, and for most of history it has been right, because the man who left was gone — to a frontier, a city, another lord's estate — and whatever he thought of the arrangement he had left became, from the order's point of view, somebody else's problem.

The Irish emigrant was not gone. He went to a country with wages, a free press, freedom of association, and eventually votes, and from there he did two things. He sent money home, which paid the passage of the next family out and sustained households that could not otherwise have stayed — so that the exodus financed itself and the remittance became a structural feature of the rural economy. And he funded the organisations working against the arrangement he had left. The Land League from 1879 was sustained substantially by American subscription; the Fenian organisations were founded and funded across the Atlantic; and money raised in New York and Boston paid for agitation in Mayo that the Irish constabulary could not stop by arresting anyone in Ireland.

A coercive order can reach a farmer in Mayo. It cannot reach a subscription list in Brooklyn. The Coercion Acts, the constabulary, the resident magistrates and the whole apparatus of the cost column operated on persons within the jurisdiction, and the exit door had placed several million former subjects permanently outside it, in a condition — literate, waged, organised, and free to associate — that made them useful to the opposition in a way they could never have been at home. The state had converted subjects it could coerce into patrons it could not.

That is the correction. **Exit is a safety valve only where the exiled lose contact and lose capacity. Where the destination is prosperous, free, and connected by cheap post and cheap passage to the place departed, the valve becomes a pump**, and the order finds itself facing a funded opposition based beyond the reach of every instrument it possesses.

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Reading the Irish cost column against the framework

The first refinement corrects the exit dial directly. The model holds that an open door raises the floor beneath the subject, because the extractor must leave him enough to make staying better than going — the Black Death mechanism, where scarce labour had somewhere to run and had to be bid for. That reasoning contains a premise it does not state: **that the extractor wants the labour.** Where the most profitable use of the asset requires the subject's hands, exit is his leverage. Where it does not — where tillage has given way to grazing, where enclosure or mechanisation has cut the labour requirement, where the land is worth more empty — an open door is not the subject's leverage but the extractor's instrument, and he will pay to open it wider. Irish landlords funded passages, sometimes out of the very poor rate the departure would reduce, and the state's most consequential relief provision made surrendering the holding the price of eating. **Before reading an exit dial, establish what the extractor wants the ground for. The same open door raises the floor in one economy and empties the country in another.**

The second refinement concerns what an emigrant becomes. The framework's implicit account of exit is that it relieves the order of its most discontented — the valve model. Ireland shows the opposite where three conditions hold: the destination is prosperous and free, the passage and the post are cheap, and the emigrant's identification with the place he left survives the crossing. Under those conditions the emigrant does not exit the political system at all; he re-enters it as a funder, immune to every instrument the order has. Remittances financed the next departure, and diaspora subscription financed

the Land League and the Fenian organisations. **The valve becomes a pump: exit converts coercible subjects into uncoercible patrons, and the order's cost column, which can reach anyone inside the jurisdiction, can reach none of them.** This is a general finding and it should be applied to every case in the corpus where a substantial emigration ran to a free country — it predicts that the order will find itself fighting an opposition whose money it cannot trace, tax, seize or arrest.

And a third point, about where the boundary of an order actually runs. The case is habitually read as Protestant against Catholic, and the cost column will not support it. What separated the Ulster tenant from the Connaught cottier was not a creed but a custom: a saleable interest in his holding, worth real money, giving him security, a return on his own improvements, and the capital to leave if he chose. His benefit column had an entry and the other man's did not, and when that entry was threatened in the 1870s he agitated beside the men of the other confession without any difficulty at all. **Where a study finds two populations distinguished by confession and asks why one is loyal, it should look first for an asset the arrangement created and protects, and check whether the confessional line and the asset line actually coincide.** In Ireland they largely did, which is why the confessional reading works well enough to be misleading — and the moment the Land Acts gave everyone the asset, the loyalty had to be explained by something else.

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A note on sources. The population figures are census returns: 8,175,124 in 1841 and 4,390,219 in 1911. The Gregory clause is described from the Poor Law Extension Act of 1847 and from the parliamentary and administrative literature on it; the *Cork Examiner* passage of 16 February 1848 is quoted as reproduced in the modern accounts of the Act, and the paper's own file has not been consulted directly. William Gregory's authorship of the clause and his position as an Irish landlord and member are not disputed. The Ulster custom is described from the standard accounts and from the terms of the Landlord and Tenant (Ireland) Act 1870, which gave the custom the force of law where it already existed while leaving it undefined; the Act's Bright clauses, permitting a tenant to borrow two-thirds of a purchase price at five per cent over thirty-five years where the landlord was willing to sell, are as enacted. The Tenant Right League's programme of 1850 and its explicit deferral of any measure for cottiers and farm servants are as recorded in the accounts of the League.

Figures given as ranges or approximations, with the disagreements noted. Famine mortality is usually given at around one million and is a reconstruction, not a count; emigration in 1845–55 is usually given at one and a half million; total emigration 1841–1900 at around six million; Irish arrivals in the United States 1820–1930 at up to four and a half million. Evictions of over a quarter of a million persons between 1849 and 1854, around half a million leaving holdings in that period, and around two hundred thousand holdings obliterated are estimates carried in the secondary literature and vary between authorities. The tenant-right payment of as much as £10 an acre is a reported figure

from particular districts and should not be generalised. The farm-labourer wage of seven to nine shillings a week in the 1860s appears in the secondary literature and is given here only as an order of magnitude. The scale of landlord-assisted emigration is disputed as a proportion of total emigration; the Palmerston estate case of 1847, usually given at around two thousand persons, is one of the better-documented instances and is cited as an instance rather than as typical. Diaspora funding of the Land League and of the Fenian organisations is well attested qualitatively; no totals are asserted here, since the accounting is fragmentary and the figures given in the literature are not reconcilable.

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Part of the collection Patterns of Power. *Tested, never revealed.*

MODULE 6 · EXTRACTION

Not Exceeding One-Twentieth

Module 6 · Extraction — the machine the Union inherited, the instrument that replaced discriminatory taxation with uniform taxation, and how the flow came to run backwards.

A machine already running

Most studies in this collection reach extraction at the moment it is being designed: the conquest is done, the settlement has allocated the ground, the fiction is in place, and the new proprietors turn to the question of what can be got out. Ireland reaches 1801 with the machine built, the pipework laid, and two centuries of operation behind it. The Union did not construct an extraction system. It inherited one, added a second at the imperial level, and then — this is the part that makes the case unusual — spent its last fifty years dismantling both.

The inherited machine had three channels, and all three drew on the same person.

The first and largest was **rent**, paid by a tenantry holding mostly at will to proprietors whose titles ran back to the seventeenth-century forfeitures. Much of it passed through middlemen who held a head lease and sublet downward, taking a margin at each tier, so that what the occupier paid bore no fixed relation to what the head landlord received. A substantial share went to proprietors resident in England, and the size of that share was argued over throughout the period without being settled.

The second was **tithe** — a tenth of agricultural produce, payable to the clergy of a church attended by around a tenth of the population. It was resisted violently in the tithe war of the early 1830s and converted in 1838 into a rent-charge payable by the landlord, which did not abolish it but folded it into rent, where it remained until disestablishment in 1869.

The third was the **county cess**, levied on the occupier by the unelected grand jury of proprietors described in Module 2, who also decided what it was spent on and frequently contracted the work. After 1838 the poor rate joined it.

Each of these is a private or local extraction, and none of them is new in 1801. What the Union added was a fourth channel running to the imperial exchequer, and it is the one that produced the best documentary evidence in the whole case.

The fiscal clause, and what happened to the accounts

Article Seventh of the Union preserved separate exchequers and fixed Ireland's share of the joint expenditure of the United Kingdom in the proportion of two parts to Great Britain's fifteen — two-seventeenths — for a term of twenty years, with provision for revision thereafter.

That arrangement lasted rather less than the twenty years its drafters contemplated as a first term. In 1817 the exchequers were amalgamated, and the consequence deserves stating precisely because it is not primarily a fiscal consequence.

After 1817 there was no Irish budget. There was no Irish revenue account, no Irish expenditure account, and no annual statement anywhere showing what was raised in Ireland and what was spent there. Taxation was collected under a single United Kingdom schedule and paid into a single fund, and the question *what does Ireland pay and what does Ireland get* ceased to be a question that any ordinary parliamentary document could answer. It had not been suppressed. It had been rendered unaskable, by a change in bookkeeping, and it stayed that way for the better part of eighty years.

Uniformity as the instrument

The mechanism by which the imperial exchequer drew from Ireland is the most portable finding in this module, and it is worth setting out slowly, because it operated without a single discriminatory statute.

The United Kingdom raised the bulk of its revenue in this period from customs and excise duties concentrated on a handful of articles — tea, tobacco, spirits, sugar, beer. Those articles are consumed in broadly similar physical quantities by rich and poor households; a labourer does not drink a twentieth of the tea of a gentleman. A duty on them is therefore steeply regressive with respect to income. Apply an identical schedule of such duties across two countries of very unequal wealth, and the poorer country pays a far larger share of its income than the richer, with no rate anywhere set higher for it, no statute naming it, and no minister deciding it.

The direction of that effect shifts across the century, and honesty requires the shift to be stated. In the decades after the Union, Ireland was exempt from a range of taxes levied in Britain, and the Treasury's own position — restated as late as 1932 — was that Ireland was under-taxed before 1853. Peel had explicitly excluded Ireland when he introduced the income tax in 1842. From 1853 Gladstone extended the income tax to Ireland and pressed forward the assimilation of duties, and thereafter the arithmetic reversed.

The per-head figures cited in the Commons in 1905 give the trajectory: taxation of £1 6s 7d per head in 1859, £1 7s 9d in 1869, £1 8s 2d in 1879, £1 12s 6d in 1889, £1 18s 2d in 1899, and £2 4s 2d in 1904. Set that beside the fact that Ireland's population fell from 8.2 million in 1841 to about 4.5 million by 1896 while total Irish taxation rose from around £4,750,000 in 1819–20 to nearly £7,000,000 in 1896, and the shape is clear: fewer people, paying more, at rates nobody had written for them.

A uniform tax applied across regions of unequal wealth is a transfer, and it is the most defensible transfer a state can operate, because equal treatment is exactly what the robe promises. No discriminatory law exists to be repealed, no author can be identified, and any complaint must argue against equality itself. This is the point at which Module 3's finding and this module's meet: the legal-rational robe's central claim — that Ireland was not a colony but a part of the state, governed by the same law on the same terms — was not merely the cover for the extraction. It was the extraction's operating principle.

The Commission

Which is why, when the question was finally forced open, it had to be forced open by an inquiry rather than by an accountant.

The Royal Commission on the Financial Relations between Great Britain and Ireland was appointed in 1894 and reported in June 1896. It is universally called the Childers Commission after its chairman, and its membership included Treasury men, Liberal statesmen, and Irish nationalist members. Its central finding was agreed across that range, and it survives in the form in which it was repeatedly quoted in parliament thereafter:

> That whilst the actual tax revenue of Ireland was about one-eleventh of that of Great Britain, the relative taxable capacity of Ireland is very much smaller, and is not estimated by any of us as exceeding one-twentieth.

Not estimated by any of us. The Commission's method was to compare aggregate incomes, set aside an allowance for subsistence distributed by population, and compare the surpluses; on the estimates it used, the surplus incomes of the two countries stood in a proportion of about thirty-six to one. On the revenue side, the £7,568,000 raised in Ireland was, on the evidence of the Treasury's own experts, in excess of the country's taxable capacity by around £2,750,000 a year. And the majority concluded that financially speaking Ireland had gained nothing from the Union, and might have lost much.

The counter-case must be given, and the Treasury made it at length. Ireland had been exempt from a series of taxes levied in Britain — railway duty, establishment licences, the

duty on patent medicines, land tax, inhabited house duty. The method of assessing farmers for income tax, taking profits as equivalent to a third of the rent, was generous to the point of artificiality. Ireland had been under-taxed before 1853, and whether and by how much it was over-taxed thereafter was, on the Treasury's view, doubtful and not established by Childers's figures. Reasonable people disagreed then, and the disagreement was never resolved: when Irish and British negotiators met over it in 1932, the Irish claim built on Childers and its successors came to £399 million exclusive of interest, and the British side held the underlying calculation to be unsound.

Two things belong in the record regardless of who was right about the arithmetic.

The first is that this was a British royal commission, appointed by a Unionist government, whose members included the Treasury's own people, concluding unanimously on the capacity point that a state was drawing from part of itself about twice what that part could bear. The apparatus of legality produced the indictment. That is the leash of Module 3 pulling on the extraction column.

The second is political and it is sharper. The 1896 report briefly united Irish Unionists and Nationalists in a common grievance — meetings were held across the country, Unionist peers taking chairs alongside nationalist members — and the alignment did not survive contact with a concrete benefit. A nationalist member observed in the Commons in 1905 that the gentlemen who had tumbled over one another to join the agitation had used it to secure, in the Act of 1898, the removal of £350,000 of rates from the shoulders of landlords, and had then lost interest. Extraction politics cut across the confessional line whenever the money was general, and reverted the moment the money was specific.

The Famine, and what an extraction machine does when the harvest fails

The most contested arithmetic in modern Irish history belongs in this module, and the discipline of the collection is to lay both columns out and decline to write the sum.

On one side stands the tabulation of the Irish grain trade compiled by P. M. Austin Bourke from contemporary government returns, which shows that in 1847 Ireland exported something in the order of 39,000 tonnes of wheat and 98,000 tonnes of oats, and imported around 199,000 tonnes of wheat, 12,000 tonnes of oats and 682,000 tonnes of maize — a net inflow of grain of roughly three-quarters of a million tonnes. On that basis Ireland in the worst year of the Famine was a substantial net importer of food, and the proposition that the country was stripped of grain it needed is not sustainable for that year. James Donnelly has refined the point by observing that the imports became

significant only from the spring of 1847, which leaves the preceding winter uncovered by them.

On the other side stands the objection that the official returns are not a sound instrument. The Inspector of Imports and Exports acknowledged at the time that they contained errors of computation and weight conversion and under-represented exports. Christine Kinealy's work sets out what left in 1847 beyond grain: almost four thousand vessels carrying food from Ireland to Bristol, Glasgow, Liverpool and London, sailing under military guard from among the most famine-stricken ports in the country — Ballina, Ballyshannon, Bantry, Dingle, Killala, Kilrush, Limerick, Sligo, Tralee, Westport — and carrying peas, beans, onions, rabbits, salmon, oysters, herring, lard, honey and, in the first nine months of that year, something over 820,000 gallons of butter to Bristol and Liverpool alone.

The two columns are not as contradictory as the polemics on either side suggest, and the structural reading does not require choosing between them.

The food left because it was owned, and it was owned because it was the rent in another form. The Irish tenant grew grain and raised stock to pay a rent, and ate potatoes. That division was not incidental to the arrangement; it was the arrangement, and it is what Cormac Ó Gráda means in observing that the grain was a money crop rather than a food crop. When the potato failed, the obligation that the grain existed to discharge did not fail with it. Rent remained due, the tithe rent-charge remained due, the county cess and the poor rate remained due, and the produce that discharged them moved to the ports as it had every year, because that was the machine's function and nothing had been done to stop it.

A government holding that the suspension of property rights and the closing of ports lay outside its proper competence was a government that had disabled itself from interrupting the flow. That is a political choice and it should be named as one rather than treated as a law of nature. But the mechanism it declined to interrupt was not an act of policy at all; it was the ordinary annual operation of a private extraction system built in the seventeenth century, running to specification through a year in which the people operating it were dying.

The military escort is the tell. When the floor of force appears alongside the extraction column, standing between the produce and the population, the study is looking at the moment an order's two halves become visible in the same frame.

The flow reverses

And then, across roughly forty years, every channel described in this module was closed, regulated or re-plumbed, and the case ends somewhere no other case in this collection ends.

Tithe went first in substance and then in form: converted to a rent-charge in 1838, and abolished outright with the disestablishment of the Church of Ireland in 1869, which also ended the Maynooth grant and wound up the whole establishment settlement of Article Fifth.

Rent was regulated before it was extinguished. The Act of 1870 gave the Ulster custom legal force where it already existed and offered compensation for improvements and for disturbance elsewhere. The Act of 1881 extended fair rent, fixity of tenure and free sale across the island and created land courts empowered to fix judicial rents for fifteen-year terms — which is to say that the state took the setting of the principal extraction rate out of the proprietor's hands and gave it to a tribunal.

Then it bought the proprietor out. The purchase Acts — Ashbourne's of 1885, Balfour's of 1891, Wyndham's of 1903, Birrell's of 1909 — advanced British Treasury credit to tenants to buy their holdings, with the landlord paid in cash or stock and the tenant repaying by annuity over decades. By 1908 something in the order of 316,000 tenants had purchased about eleven million acres of a total of roughly twenty million, and by 1921 something like two-thirds of Irish agricultural land had changed hands under the Acts. The figures vary between authorities and are given here as orders of magnitude.

The cess followed in 1898, when the Local Government (Ireland) Act transferred the grand juries' fiscal and administrative powers to elected county councils — and, in the same measure, relieved landlords of some £350,000 of rates.

So by 1914 the private extraction machine the Union had inherited was substantially dismantled, and the imperial one was running the other way. Ireland was receiving Treasury advances on a scale that dwarfed the disputed over-taxation, along with the old age pension, the land purchase apparatus, congested districts funding and the rest, and the Union's fiscal balance had become, on any reckoning, a subsidy.

But notice what the purchase Acts did *not* do. They did not end the annual payment out of the Irish farm. They changed its counterparty. The tenant who had paid rent to a landlord now paid an annuity to the British Treasury, on an obligation created by British statute, secured on a title that British statute had made. Extraction did not stop; it was re-plumbed — and Module 2's mechanism is what delivered it, because a grant that re-sources a man's title binds him to whoever maintains the register. Where that obligation

went next, and what it became when the register changed hands in 1922, belongs to the last modules of this study.

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Reading Irish extraction against the framework

The first contribution is the identification of uniform taxation as an extraction instrument, and it is general. The framework's extraction module looks for the rate, the collector, and the sorting — who pays what, through whom, and on what basis of caste or status. Ireland after 1853 had no discriminatory rate, no separate collector and no legal sorting: the same schedule of duties applied in Cork as in Kent. The transfer was produced by the interaction of a uniform schedule with unequal wealth, since duties concentrated on tea, tobacco, spirits and sugar take a far larger share of a poor household's income than a rich one's, and a poor *country* is a country of poor households. **A single tax code applied across regions of very unequal wealth is a transfer that requires no discriminatory statute, has no identifiable author, and can only be complained of by arguing against equality.** It is therefore the most defensible extraction available to a state that governs by a robe of legal equality — and the study should note that this is not a case of the robe concealing the extraction, but of the robe *being* the extraction's operating principle. Where a case shows an order that has formally abolished discriminatory taxation of a subject region, the question to ask next is what the uniform schedule falls on.

The second contribution concerns concealment, and it corrects an assumption about how information control works. Article Seventh maintained separate exchequers; the amalgamation of 1817 abolished them. From that year there was no Irish revenue account and no Irish expenditure account, and the question of what Ireland paid and received had no document that could answer it. Nothing was censored. No return was falsified. **The category in which the question could be posed was simply removed from the accounts, and the question became unanswerable rather than forbidden** — which is a far stronger form of control, because there is nothing to expose and no suppression to allege. The measure of its strength is that undoing it required a royal commission sitting for two years to reconstruct, by estimation and inference, what a separate exchequer would have printed on one page every year. A study looking for an order's information controls should therefore examine its accounting categories before its censorship, and should treat any amalgamation, consolidation or aggregation of accounts as a candidate instrument rather than as housekeeping.

And a third observation, which the case is unusual in supplying. Extraction reversed here without the order changing hands, and the reversal took the specific form of the state buying out the class its own settlement had created. Between 1885 and 1909 the British Treasury advanced very large sums to extinguish the proprietary interest that the seventeenth-century forfeitures had established and that Article Fifth and the grand jury system had protected. **An order will pay to remove its own beneficiaries when defending them has become more expensive than buying them out**, and Ireland dates that crossing point with unusual precision to the Land War of 1879–82, when the Land League made the collection of rent cost more than the rent. That is the framework's third route by which a floor rises — the subject making his own extraction costly — producing not a better bargain within the arrangement but the liquidation of one of the arrangement's parties, financed by the sovereign. The class the Union was built to secure was bought out by the Union.

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A note on sources. Article Seventh of the Union is quoted from the original enacted text, since repealed and absent from the revised statute. The Childers Commission finding on taxable capacity is quoted as read into the parliamentary record in the debates of 1905 and 1908, which is the form in which it was most often cited; the revenue figure of £7,568,000 and the excess of £2,750,000 on Treasury experts' evidence, the taxation-per-head series from 1859 to 1904, and the observation on the Act of 1898 removing £350,000 of rates from landlords are from the same Hansard debates. The Commission's method of comparing surplus incomes, the resulting proportion of about thirty-six to one, and the conclusion that Ireland had gained nothing financially from the Union are from Alice Effie Murray's *History of the Commercial and Financial Relations between England and Ireland* (1903), which is in the public domain. The Treasury's counter-case — the exemptions from railway duty, establishment licences, patent medicine duty, land tax and inhabited house duty, the assessment of farmers' profits at a third of rent, and the position that Ireland was under-taxed before 1853 and doubtfully over-taxed after — is taken from the British record of the Anglo-Irish financial negotiations of October 1932 published in *Documents on Irish Foreign Policy*, where the Irish claim is also given at £399 million exclusive of interest.

On the Famine trade. P. M. Austin Bourke's tabulation of the Irish grain trade, based on contemporary government returns, is the source of the 1847 figures given here; those figures are widely reproduced and the tonnages should be treated as the returns' own, with the returns' acknowledged defects. The Inspector of Imports and Exports' contemporary acknowledgement that the returns contained errors and under-represented exports, and the resulting methodological objection to using them as a calorific gauge, are as set out in the *History Ireland* discussion of the question. Christine Kinealy's figures — almost four thousand vessels, the named ports, the commodity list, and 56,557 firkins of butter to Bristol and 34,852 to Liverpool in the first nine months of 1847, being something over 820,000 gallons — are from her article in *History Ireland* (1997) and are paraphrased and credited. James Donnelly's refinement that grain imports became significant only after the spring of 1847 is likewise credited. Cormac Ó Gráda's characterisation of the grain as a money crop rather

than a food crop is paraphrased from *Ireland Before and After the Famine*. This is among the most contested questions in Irish historiography; the arithmetic is set out from both sides and no total is asserted.

Approximate and contested figures. Irish population is given from the censuses of 1841 and 1911 and at about 4.5 million for 1896 on the Commission's own usage. Total Irish taxation of around £4,750,000 in 1819–20 and nearly £7,000,000 in 1896 is as given by Murray. Land purchase totals — approximately 316,000 tenants and eleven million of some twenty million acres by 1908, and around two-thirds of agricultural land transferred by 1921 — vary between authorities and are given as orders of magnitude; the individual Acts are dated by their enactment. The share of Irish rent remitted to absentee proprietors was disputed throughout the period and no figure is asserted here.

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Part of the collection Patterns of Power. *Tested, never revealed.*

MODULE 7 · INFORMATION AND SUPPRESSION

The Juries Could Not Be Relied On

Module 7 · Information and Suppression — what an order governing by law bothered to hide, from whom, and why the ocean turns out never to have been the variable.

The experiment this case makes possible

This collection's paper on colonial information control reached an uncomfortable finding. Across a long run of European empires the expected apparatus — the censor, the index, the suppressed despatch — was mostly not found facing homeward. Censorship existed and was often heavy, but it faced inward, at the conquered. Toward the metropole there was little concealment because little was needed: the facts travelled, were printed in official reports and debated in parliaments, and did not move anything. The register at the metropolitan end was not suppression but inattention. And the fault was located not in the machinery but in its specification — in a consent-check that runs on an electorate, where the electorate is not the governed, so that the check keeps returning *pass* while measuring the wrong population.

That paper noted, without being able to prove it, that the ocean turned out to be the least of the reasons. Ireland is where the proposition can be tested, because Ireland removes the ocean and holds everything else constant.

There is no distance. Dublin is a night's crossing from Holyhead. The Irish and London newspapers read each other and reprinted each other within days. A hundred Irish members sat in the House of Commons; twenty-eight Irish peers and four Irish bishops sat in the Lords. Irish members could and did rise and describe conditions in their constituencies to the men voting the estimates. There was no colonial office standing between the periphery and the parliament, because there was no periphery in the constitutional sense at all.

If distance was doing the work, this seam should never have held for a day. It held for most of a century. The question is what held it.

What nobody bothered to hide

The diagnostic the framework supplies is to ask not what an order did but what it took the trouble to conceal, and from whom, because censorship intensity measures the audience's threshold rather than the regime's conduct. Applied to Ireland in the direction of Britain, the answer is: remarkably little, and the record of non-concealment is continuous.

The condition of the Irish tenantry was investigated and published repeatedly by the state itself. The Devon Commission reported in 1845 on the occupation of land in Ireland, having taken evidence across the country, and its findings on the insecurity of tenure and the condition of the cottier class were in print before the blight arrived. During the Famine the Board of Works published its returns, the relief commissioners published theirs, and the mortality was reported in the London press: the *Illustrated London News* sent an artist to Skibbereen in the winter of 1846–47 and printed the engravings, and they are among the most reproduced images of the nineteenth century precisely because they were not suppressed. Charles Trevelyan, the Assistant Secretary to the Treasury who administered the relief, published his own account of the policy and his own providential reading of the calamity, under his own name, and was knighted.

The same pattern runs to the end. The Childers Commission was appointed by a Unionist government and reported in 1896 that Ireland's taxable capacity did not, in the estimation of any of its members, exceed one-twentieth of Great Britain's while it was paying about one-eleventh. The Parnell Commission produced thirty-seven volumes of evidence. Every Coercion Act was debated at length on the floor of the House, printed in Hansard, and reported in the newspapers, with Irish members describing exactly what the previous one had done.

There is no serious campaign of concealment aimed at the British public in this case, because there was no serious need for one. The material was available continuously, in official form, to anyone in the United Kingdom who wanted it. And for most of the century the column of consequences stayed empty.

The variable

The reason is not mysterious once the right number is looked at, and it is not distance, press freedom, or the vividness of the disclosure. It is the franchise.

Consider the arithmetic at the moment it mattered most. In 1829 Catholic Emancipation received the royal assent — and on the same day, so did the Parliamentary Elections (Ireland) Act, which raised the Irish county qualification from the forty-shilling

freehold to the British ten-pound standard. The Irish electorate is commonly given as falling from something over two hundred thousand to something under forty thousand as a result: a reduction of roughly four-fifths, imposed in the same breath as the concession, and falling precisely on the tenant farmers who had returned O'Connell for Clare. The government could not acquire the bishops, as Module 4 showed; it took the voters instead.

That is the electorate that existed when the potato failed. Ireland during the Famine had a hundred and five members at Westminster, a free press, no ocean, and a county franchise restricted to occupiers of property valued at £12 and upward — which in the Irish countryside meant, substantially, the class that collected the rent rather than the class that paid it. The men dying in Skibbereen had no vote. The men who represented Skibbereen were returned by people who did.

The Empty Column's mechanism therefore ran at full strength inside a single kingdom with zero distance between the two ends of the seam. The consent-check was working exactly as designed; it was checking a population on whom the conduct imposed no cost. **The ocean was never the mechanism. The ocean was a proxy for the thing that actually does the work, which is the gap between the governed and the electorate — and where that gap exists inside one polity, the same result follows without any water at all.**

And when the franchise moved, the column filled

The confirmation is the second half of the century, and it is unusually clean because it turns on a single Act.

The Representation of the People Act 1884 extended the household franchise to the counties across the United Kingdom. Its effect in Ireland was to take the electorate from 225,999 in 1884 to 737,965 in 1885 — more than a tripling in a single year, and the first time that anything like the population being governed was inside the body whose consent was being checked. At the general election of that November and December, Parnell's party won eighty-five seats in Ireland and one in Liverpool, the Liberals were eliminated in Ireland entirely, and the party held the balance between Gladstone and Salisbury in the new House.

What followed within a decade and a half: Gladstone's conversion to Home Rule in early 1886 and the first Home Rule Bill; Ashbourne's land purchase Act of 1885 and Balfour's of 1891; the Congested Districts Board; the second Home Rule Bill in 1893; the Childers Commission itself; the Local Government Act of 1898 abolishing the grand juries; the Wyndham Act of 1903; and the old age pension. The facts about Ireland had

not changed and had not become better known. What had changed was who could impose a cost for them.

This is as close as the corpus has come to the case that would break the Empty Column's diagnosis, and it does not break it — it demonstrates it. The paper's finding was never that exposure does not work; it was that exposure works only when the correction lands on somebody whose ledger the order has to read. Ireland did not fix the seam by publishing more. It fixed the specification, by putting the governed inside the electorate, and the machine immediately began returning a different answer.

Which is why the suppression faced the other way

If the British public required no managing, the Irish public required a great deal of it, and here the apparatus is exactly where the framework predicts.

What the state faced in Ireland was not a population ignorant of its condition — they were living in it — but a contest over interpretation and over what would follow from the facts. Its instruments were correspondingly aimed not at the printer but at the trier of fact.

Newspapers were suppressed when they became organising instruments: the *Northern Star* in Belfast in 1797, and in 1848 John Mitchel's *United Irishman*, which ran to sixteen numbers between 12 February and 27 May and then stopped because its editor was in fetters aboard a ship.

But the Mitchel case is worth following in detail, because the government's difficulty was not the paper. It was the jury.

Mitchel was first called on in March 1848 to give bail to stand trial for sedition. The charge was never proceeded with — in the words of the *Dictionary of National Biography*, because the juries could not be relied on to convict. The government's problem was that twelve men in a Dublin box, presented with the words of an Irish journalist, would not do what the Crown wanted with them.

Its answer was a statute. The Treason Felony Act received the royal assent on 22 April 1848, drafted by the Attorney-General, and passed — as the *Dictionary of Irish Biography* states plainly — primarily to deal with Mitchel's writings. Three categories of offence previously classed as high treason were reclassified as felonies. And the reason for the reclassification is the instructive part: the offences had carried the death penalty, juries were reluctant to convict of capital crimes, and it was thought that the conviction rate would rise if the sentence were transportation instead.

Read that mechanism slowly, because it is the sharpest instrument in this module. **The state lowered the punishment in order to raise the conviction rate.** It did not increase the severity of the law; it calibrated the law to the conscience of the men who would have

to apply it, having correctly diagnosed that the obstacle was their unwillingness to hang a journalist. This is legislation aimed at the interior of a jury box.

Mitchel was arrested on 13 May under the new Act, tried at Green Street on 25 and 26 May before Baron Lefroy and Justice Moore, convicted by a jury the government had packed, and sentenced on the 27th to fourteen years' transportation. He was defended by Robert Holmes, brother-in-law of Robert Emmet, who told that jury in open court that Ireland was an enslaved country. Twenty-seven years later an Irish member laid the papers before the House of Commons and observed that Mitchel had been tried for an offence which had been created by Act of Parliament three weeks before.

Jury packing was the routine complement. In political trials the Crown's right to set jurors aside was used to produce panels from which Catholics were substantially absent, and the practice was complained of continuously and openly for decades without being abandoned. The order that governed by law, and could not have governed otherwise, was securing its convictions by managing who sat in judgement.

Alongside this ran a formidable machinery of collection rather than suppression. The constabulary reported routinely upward on the state of every district; outrages were counted, tabulated and returned; informers were run; and by the end of the century the Castle had a dedicated Crime Branch Special. The asymmetry is the finding: an order with an extensive information-*gathering* apparatus aimed at the governed and almost no information-*control* apparatus aimed at the metropole is an order that has correctly read both of its audiences.

When the metropolitan press became the weapon

The seam's most spectacular failure came from the other direction, and it belongs here because of what it shows about a crowded interpretive field.

In March 1887 *The Times* began a series of articles under the heading "Parnellism and Crime," designed to link the Irish Parliamentary Party to the agrarian violence of the Land War. On 18 April it published in facsimile a letter over Parnell's signature appearing to excuse the Phoenix Park murders of Lord Frederick Cavendish and T. H. Burke five years earlier. Parnell rose in the House of Commons the same day and called it a villainous and barefaced forgery.

The government's response is the structurally interesting part. Rather than a select committee confined to the letters, it established a Special Commission of three judges with terms of reference wide enough to cover the whole conduct of the Land League and the national movement — converting a newspaper's allegation into a judicial inquisition into

the opposition. The Commission sat for one hundred and twenty-eight days and produced thirty-seven volumes.

And the instrument turned in its hand. Richard Pigott, the broken-down journalist who had sold the letters, took the stand on 20 February 1889. Parnell's counsel Charles Russell — later Lord Chief Justice of England — had been told by Patrick Egan, an exiled Fenian, that the misspelling of *hesitancy* as *hesitency* in the incriminating letter was Pigott's own habit. Russell handed Pigott a sheet and asked him to write out a list of words. Pigott wrote *hesitency*. His cross-examination finished the next day; on the third day he failed to answer to his name, having fled. He sent back a confession from Paris describing how he had traced words and phrases from genuine Parnell letters against a window pane, and admitting what he had been paid. He was tracked to a hotel in Madrid and shot himself. *The Times* withdrew the facsimile, settled Parnell's libel action for £5,000 against the £100,000 claimed, and finished with total costs reported at around £200,000. Parnell returned to the Commons to a standing ovation.

The lesson is not that the press was honest. The paper of record published a forgery and paid a fortune for it. The lesson is that **it could not sustain the forgery, because the interpretive field was crowded** — there was an opposing counsel with standing and a forum, a hostile Irish press in *United Ireland*, an exile in Paris who happened to recognise a spelling, and three judges obliged to sit in public for a hundred and twenty-eight days. Every one of those is a rival interpreter the state and the newspaper did not control. In a captured seam, Pigott's letter stands, and Parnell is finished. The exposure required not fewer interpreters but more.

The one time they tried, and failed

Only at the very end did the British state attempt what the colonial cases attempt as a matter of course: to control what Britain was told about Ireland.

Between 1919 and 1921, under the Defence of the Realm powers and their successors, Irish newspapers were suppressed and presses seized, while the underground Dáil produced the *Irish Bulletin* and got it into the hands of foreign correspondents. And the attempt failed on the British side, because British journalists went to Ireland and reported the reprisals to British readers. By October 1920 a member of the House of Lords could stand up and say that so far as he knew there had never before been a case in which the forces of the Crown were allowed to proceed to lawless acts of vengeance without authority from their commanders, and could reach back to 1798 and Cornwallis's despatches for his only parallel.

That is the first moment in the whole period at which the order needed the British public not to know something. It is also the moment it discovered it had no means of arranging that, because it had spent a century governing by a robe that made the press free and the courts open, and had never built the apparatus, because it had never before required one.

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Reading the Irish seam against the framework

The first and principal contribution is that the ocean was never the variable, and the corpus should stop treating distance as the colonial bend's active ingredient. The Empty Column found that colonial seams were held by metropolitan inattention rather than concealment, and located the fault in a consent-check running on an electorate that is not the governed. Ireland removes distance entirely — a night's crossing, a shared press, a hundred members in the Commons — and the seam holds anyway, for as long as the Irish electorate is small and property-qualified, through a famine that was fully and officially reported as it happened. It then ceases to hold within one general election of the Act that tripled that electorate. **The exposure threshold for any governed population is set by the proportion of it inside the body whose consent the order actually checks; distance, press freedom and the vividness of disclosure are all secondary to that number.** This is a prediction and it is testable across the corpus: expect substantive reform in any dependency to track the extension of the franchise *within that dependency*, and expect metropolitan press campaigns without such extension to produce inquiries rather than statutes.

The second concerns what suppression looks like when the seam runs inside a single polity rather than between two. Where the two ends are separated, the order's task is to keep them from meeting, and the instruments are the censor, the withheld despatch and the language barrier. Where they are not separated — where the governed are living the facts and can read the same newspapers as everyone else — concealing the facts is pointless, and the contest moves to what follows from them. Ireland's characteristic instruments are therefore not aimed at printers at all. They are aimed at **the trier of fact**: a statute that reduced a capital offence to a felony for the express purpose of raising a conviction rate, because juries would not hang a journalist; and the systematic management of who sat on the panel. **The tell of a domestic seam is legislation calibrated to a jury's conscience rather than to a printer's press** — and a study that goes

looking for a censorship office in such a case will find nothing and conclude, wrongly, that there was no information control.

And a third, offered as confirmation of the crowding principle with a mechanism attached. The framework holds that the remedy for a captured seam is not the abolition of interpreters but their multiplication, and Ireland supplies a clean demonstration in the Pigott affair. The most powerful newspaper in the world published a forgery, and the government converted the allegation into a judicial inquisition into the entire national movement. It failed — not because anyone was more honest, but because the field contained an opposing counsel with a forum, a rival press, an exile who recognised a spelling habit, and judges obliged to sit in public. **A crowded seam does not prevent forgery; it prevents forgery from holding.** Where a study finds a fabricated charge that stuck, it should look for what had happened to the rival interpreters, and where it finds one that collapsed, it should count them.

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A note on sources. The circumstances of Mitchel's prosecution are drawn from the *Dictionary of National Biography* article of 1885–1900, which is in the public domain and is the source for the statement that the sedition charge was not proceeded with because the juries could not be relied on to convict, and for the trial dates of 25 and 26 May 1848 before Baron Lefroy and Justice Moore, the sentence of the 27th, and the sixteenth and last number of the *United Irishman* appearing on the same day. The *Dictionary of Irish Biography* is the source for the statement that the Treason Felony Act, assented on 22 April 1848, was passed primarily to deal with Mitchel's writings. The Act's own rationale — that the offences had been capital, that juries were reluctant to convict of capital crimes, and that a reduced sentence was expected to raise the conviction rate — is as stated in the standard account of the statute, which also names the Attorney-General as its draftsman. Robert Holmes's defence speech of 20 May 1848 is quoted from the text reproduced in P. A. Sillard's *Life of John Mitchel* (1908). The observation that the offence had been created by Act of Parliament three weeks before the trial is from the Commons debate of 26 February 1875, in Hansard.

The Pigott affair is drawn from the contemporary and public-domain accounts of the cross-examination, including the version reproduced in Francis Wellman's *The Art of Cross-Examination*, together with the modern reference literature; the dates of first publication on 7 March 1887 and of the facsimile letter on 18 April 1887, Parnell's description of it in the Commons that day, Pigott's appearance on 20 February 1889, his confession, flight and death in Madrid, the Commission's one hundred and twenty-eight sitting days and thirty-seven volumes, the settlement at £5,000 against a claim of £100,000, and *The Times*'s costs of around £200,000 are as given there and are consistent across authorities. The sums Pigott received for the letters are reported variously and are not asserted here.

Franchise figures. The Irish electorate of 225,999 in 1884 and 737,965 in 1885, and the pre-1885 qualifications of £12 in the counties and £4 in the boroughs, are as given in the electoral literature and are consistent between sources. The 1885 result of eighty-five Irish

seats for the Irish Parliamentary Party, with one further seat in Liverpool, is likewise consistent, though some sources give eighty-six by including it. The effect of the Parliamentary Elections (Ireland) Act 1829 in reducing the Irish electorate — commonly given as from something over two hundred thousand to something under forty thousand — rests on estimates rather than a register, and the figures should be treated as approximate; what is not in dispute is that the qualification was raised from forty shillings to ten pounds and that assent was given on the same day as the Relief Act.

The Devon Commission's report of 1845, the *Illustrated London News* engravings from Skibbereen in the winter of 1846–47, Trevelyan's published account of the relief policy, and the reporting of the Coercion Acts in Hansard are cited as instances of non-concealment rather than analysed here. The characterisation of jury packing as routine in political trials is the standard finding of the legal-historical literature and is stated qualitatively; no figures for the exclusion of Catholic jurors are asserted. The Lords exchange of 20 October 1920 is in Hansard and is paraphrased. Stanley Cohen's account of implicatory denial, on which the Empty Column's diagnosis partly rests, is credited there rather than restated here.

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Part of the collection Patterns of Power. *Tested, never revealed.*

MODULE 8 · ELITE COORDINATION AND THE DEFAULT

Breast High for a Big Deal

Module 8 · Elite Coordination and the Default — the chain of positions that held the Union without anyone intending to, and how the state that depended on it took it apart.

The question, put at the right level

This module is not about the man in the cabin. It is about the hierarchy standing above him, and it asks the framework's central structural question of that hierarchy: who held a position whose value depended on the arrangement continuing, such that defending his own interest — the most ordinary thing a person ever does — was, by default and without intention, a defence of the whole?

The answer in Ireland is unusually legible, because the positions were formal, enumerated and mostly created by statute. And the case is unusual in a second way that turns out to be its contribution. Most studies watch a default hold until something breaks it from outside. Ireland's default was dismantled, deliberately and piece by piece, by the sovereign that depended on it — each piece removed for a good and immediate reason, and the cumulative effect being that by 1910 there was almost nobody left in Ireland outside one province whose ordinary self-interest defended the Union.

The chain, and how it was welded

Run it downward from the Crown and the welding is visible at every joint.

The Cabinet's Irish policy was made by ministers whose parliamentary majorities depended on a party system in which Ireland was a permanent question. The House of Lords held an absolute veto on legislation until 1911, and the Lords was composed of landowners — among them twenty-eight Irish representative peers elected for life by the Irish peerage, and four Irish bishops by rotation, and a much larger number of British peers holding Irish estates. That single fact does more work than any other in this module. **Any Irish land bill, and any Home Rule bill, had to pass a chamber whose members were the class the bill operated on.** No coordination was required to produce that outcome; the composition of the chamber was the coordination.

Beneath the peerage sat the Irish landed proprietors described in Module 2, and their positions were a stack rather than a single holding: rent from tenants who held mostly at

will; the county grand jury, levying the cess and awarding the contracts; the commission of the peace; the advowson or the family connection that placed a younger son in a church living; a commission in an army permanently at war; and beyond that the Indian and colonial services, which took the sons of Irish Protestant gentlemen in numbers far out of proportion to their share of the United Kingdom's population.

Beneath and beside them stood the Church of Ireland, established by law, drawing tithe from the whole rural population, holding the plantation endowments, and constitutionally entrenched by Article Fifth; the Castle's boards and inspectorates, staffed and pensioned; the constabulary; Trinity College; and, in the north-east, an industrial and commercial interest — linen, shipbuilding, engineering — selling into imperial markets, financed on British terms, and employing a skilled workforce with preferential access to those trades.

Now observe the welding, which is the framework's actual mechanism. To defend your rent you defend your title. To defend your title you defend the forfeitures of the seventeenth century from which it descends. To defend the forfeitures you defend the settlement that confirmed them, and the parliament and courts that enforce it, and the Union that guarantees the parliament and the courts. A man need not believe any of it, understand any of it, or wish to perpetuate any of it. He need only decline to have his rent reduced — and he will have defended the whole arrangement without ever forming the intention.

That is why this study finds no conspiracy and does not need one. What it finds is a structure that had converted the defence of every separate position into the defence of the whole, maintained tirelessly by men minding their own business, a great many of whom disliked each other and a considerable number of whom held the British government in contempt.

What convergence looked like when the arrangement was threatened

The framework's guard against overstatement is that the absence of a standing cabal does not mean the absence of coordination: when the arrangement is genuinely threatened, the parallel self-defence of many separate position-holders fires at once and converges into real, funded, organised resistance. Ireland supplies the cleanest instance in the collection.

In 1886 Gladstone introduced the first Home Rule Bill. Every ledger in the chain above read the same way at the same moment, and the response was not a plot but a simultaneous movement: the Liberal Party split, Chamberlain and Hartington leading a body of Liberal Unionists out of it; the bill was defeated in the Commons; the general

election of that July returned the Irish Parliamentary Party with eighty-four seats in Ireland and put Salisbury into office; and the Liberal Unionists entered a working alliance with the Conservatives that reshaped British party politics for a generation. In Ireland the Irish Loyal and Patriotic Union and its successors organised, funded and campaigned.

That is convergence, not conspiracy, and the distinction matters because the mechanism predicts when it will assemble and when it will dissolve. It assembled in 1886 because a bill was on the table that would have re-priced every position in the chain simultaneously.

The first fracture: the class that decided to sell

Then the arrangement started losing its members, and the largest single defection was the landed proprietors themselves — the class the whole settlement existed to secure.

The re-pricing began where the framework says such things begin, with the cost column. The Land War of 1879–82 did not defeat anybody's army; it made the collection of rent cost more than the rent, through the rent strike, the boycott and resistance at evictions. The Act of 1881 then removed the setting of rents from the proprietor and gave it to a land court fixing judicial rents for fifteen-year terms — which is to say the position stopped being a property and became an entitlement to whatever a tribunal awarded. Agricultural prices fell through the 1880s and 1890s. And Ashbourne's Act of 1885 and Balfour's of 1891 dangled Treasury money at a landlord willing to sell, though on terms the historian of the period notes were not generous enough to move most of them.

What happened next is documented in a way that suits this module exactly, because the class polled itself.

In September 1902 Captain John Shawe-Taylor, a little-known Galway landlord, published a letter in the newspapers proposing a conference between landlord and tenant representatives. The great landowners and John Redmond both dismissed it. But Lord Monteagle formed a committee with the Earl of Dunraven as chairman, and the committee circularised the landowners of Ireland — and found seventy-five per cent of them in favour of sitting down with their tenants.

The Landowners Convention, the official organ of the class, declined to nominate representatives. Dunraven's committee appointed four anyway: Dunraven himself, Mayo, Colonel Hutchinson-Poe and Colonel Everard. The tenant side was William O'Brien, Redmond and Timothy Harrington, with T. W. Russell for the Ulster tenant farmers. Redmond, writing to O'Brien on 1 December 1902, reported Dunraven's assessment that the Chief Secretary was, in the phrase this module takes for its title, breast high for a big deal. The conference met five times and issued a unanimous report on 3 January 1903.

Wyndham's Land Purchase Act followed on 14 August 1903, and its terms are the price of the transaction. The landlord received a twelve per cent bonus on top of the price agreed with his tenants, paid in cash rather than land stock, the money raised by a guaranteed issue at two and three-quarters per cent; he could sell his demesne to the Estates Commissioners and buy it back on the tenants' own annuity terms; the maximum authorised expenditure was £150,000,000; and the government, in substance, paid the difference between what tenants would offer and what landlords would take. Between 1903 and 1920 something approaching nine million acres changed hands.

Now read it as position-logic and the significance is not agrarian at all.

A landlord holding Irish acres had a position whose value depended entirely on a British legal order in Ireland — on the courts that enforced his title, the sheriff who executed his writ, the constabulary that escorted the bailiff, and the parliament that could be relied on not to confiscate. A landlord holding government stock has none of that. His income arrives from the Treasury, is secured on the credit of the United Kingdom, and is entirely indifferent to who governs Ireland. **The state paid a twelve per cent premium to sever the link between its garrison class's self-interest and its own presence in the country.**

It did not convert an enemy into a friend. It converted a defender into an indifferent party, and it did so at its own initiative and its own expense, because in the short run that was very much cheaper than continuing to police a rent strike.

One detail keeps the analysis honest and shows position-logic does not respect sides. John Redmond, leader of the tenants' party at the conference, had inherited an estate in 1902, sold to his own tenants just before the Act commenced, and was attacked by his own supporters for the price he obtained. The ledger reads the same whichever bench a man sits on.

The other pieces, removed one at a time

The land was the largest position but not the only one, and the pattern holds across all of them.

1869. The Irish Church Act disestablished and disendowed the Church of Ireland, ending the tithe rent-charge and winding up the Maynooth grant. Article Fifth had declared the establishment *an essential and fundamental part of the Union*, and the clause had been read aloud from the table of the Commons in 1856 and again in 1868 as a bar to touching it. It was touched. A whole tier of positions — bishoprics in the Lords, livings in the gift of proprietors, a clerical establishment whose income depended on an Act of Parliament — ceased to depend on the Union.

1881 and after. Judicial rents removed the proprietor's control of his own principal revenue.

1898. The Local Government (Ireland) Act transferred the grand juries' fiscal and administrative powers to elected county councils, which nationalists proceeded to win across most of the country. The jurisdiction that Module 2 identified as the settlement's most durable and least visible binding — taxing power and contracting power in the same unelected hands, never legislated and therefore never a target — was legislated away by the government whose coalition it constituted. The same Act relieved landlords of some £350,000 of rates, which is the shape of the whole century in miniature: a position removed, and a cash consolation paid.

Each of these was defensible on its own terms. Each reduced a friction, answered a grievance, or saved a cost. And the sum of them, by 1910, was that the chain described at the head of this module had been cut at nearly every link.

The class the arrangement manufactured and could not seat

While the state was dismantling the positions of its own supporters, it was producing a class it had no positions for.

Emancipation in 1829 opened the bar, the bench, the corporations and the higher offices to Catholics. The national schools from 1831 and the Catholic colleges after them produced literacy and then professional qualification. The land legislation created, out of the tenantry, a body of proprietors with capital. And the Act of 1884 put nearly all of them inside the electorate.

So by the 1880s Ireland contained a substantial Catholic professional and commercial class — solicitors, barristers, doctors, journalists, shopkeepers, publicans, strong farmers — with standing, means, literacy and the vote, and with no position in the settlement whose defence would have been the defence of the arrangement. Every one of the framework's fracture conditions is present: a group with the resources to organise, the standing to be heard, and nothing in the existing structure that its self-interest was obliged to protect.

That class supplied the Irish Party's candidates and its money, its lawyers and its newspapers, the county councillors of 1899, and in due course a good many of the men of 1916 and after. It was not created by British error; it was created by British reform, which is exactly what makes it a structural finding rather than a moral one. **An order that admits a population to education, the professions and the franchise while withholding position has manufactured its own opposition out of its own concessions**, and the concessions were, individually, correct.

Ulster: the control case

Which brings the module to the one region where the default did not dissolve, and Ulster's behaviour is the proof of the mechanism rather than an exception to it.

In the north-east, positions still depended on the Union. Belfast's linen, shipbuilding and engineering sold into imperial markets, drew on British capital and British coal, and were integrated with the British economy rather than the Irish one; a Dublin parliament dominated by southern agrarian interests, likely to raise revenue from a country with almost no industry, was a direct threat to that trade. Beneath the employers stood a Protestant skilled working class with preferential access to those trades, whose position depended on an arrangement that sorted employment by confession. The Orange lodge network bound worker to foreman to employer to gentry across the class line. And every one of those people could count, and knew that a Dublin parliament would have a permanent Catholic majority.

The predicted result is convergence, and that is what happened. The Solemn League and Covenant of 28 September 1912, signed by nearly half a million people, pledged resistance by all means found necessary in defence of *our cherished position of equal citizenship in the United Kingdom*. The Ulster Volunteer Force set out in January 1913 to raise a hundred thousand men and had done so by early 1914. Rifles were landed at Larne in April 1914. The Ulster Unionist Council delegated its powers to a provisional government to be constituted in Belfast. And at Blenheim in July 1912 the leader of His Majesty's Opposition had already promised to support any length of resistance they chose.

The comparison with the southern landlords is the finding. Same confession, same church, frequently the same families and the same clubs — and opposite behaviour, because the ledgers differed. The southern proprietor took the twelve per cent and the government stock and went quiet. The Belfast shipbuilder and the Sandy Row riveter could not be bought out, because what they held was not a title that the Treasury could purchase but a position in a market and a labour hierarchy that a Dublin parliament would alter. **Confession predicted almost nothing here. Position predicted everything.**

The floor declines

And then the deepest fracture of all, which is where this module and Module 1 meet.

On 20 March 1914 Sir Arthur Paget, commanding in Ireland, briefed his senior officers at the Curragh that operations in Ulster were imminent. His instructions included a provision that gives the whole game away before anything else happened: officers

domiciled or born in Ulster were to be permitted to *disappear* for the duration of any operations. The government had conceded in advance that its own army would not act uniformly against that province.

Brigadier-General Hubert Gough of the 3rd Cavalry Brigade consulted his officers and reported that he and some fifty-seven of the seventy would offer their resignations rather than take part. They were privately encouraged from London by senior officers including the Director of Military Operations. Summoned to the War Office, Gough did not receive a reprimand; he obtained a written assurance, signed by the Secretary of State for War and initialled by the Chief of the Imperial General Staff and the Adjutant-General, that the army would not be used to coerce Ulster. Asquith repudiated the document. Seely, French and Ewart all resigned, and the Prime Minister took the War Office himself, five months before a world war.

Module 1 traced a state spending four decades acquiring a floor it could actually command, replacing a locally-officered settler yeomanry with a centrally commissioned constabulary. In March 1914 the government discovered that the acquisition had never reached the officer corps of the regular army, which was drawn in significant part from precisely the class and the confession the operation would have been directed against. It did not face a mutiny — no order was ever given, which is itself the point. It faced the certainty that an order would not be obeyed, and declined to give one.

By the summer of 1914 the position was this: an Act of Parliament for Home Rule on the statute book; a hundred thousand men under arms in Ulster against it with the Opposition's public blessing; a National Volunteer force forming in response; a Prime Minister who could not use the army; and, in the twenty-six counties, a landed class holding Treasury stock, a disestablished church, elected county councils, and a tenantry that owned its farms. The arrangement no longer ran itself anywhere except in the one province that was preparing to fight for it.

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Reading Irish elite coordination against the framework

The principal contribution is that an order can dismantle its own default, and that it will do so when each removal looks like a saving. The framework's account of the lever is that a settled arrangement changes only when positions are re-priced, and the implicit assumption is that the re-pricing is done to the beneficiaries by someone else — by a movement, a cost column, a crack in the floor. Ireland shows the sovereign doing it to its own coalition, at its own initiative, and paying a premium for the privilege.

Disestablishment removed the clerical tier. Judicial rents removed the proprietor's control of his revenue. Land purchase converted his Irish acres into British government stock. Local government reform removed the grand jury. Not one of these was a defeat; each was a policy, adopted to reduce friction, answer a grievance or lower a cost, and each was defensible on the day it passed. **The cumulative effect was the liquidation of every position whose ordinary self-defence had constituted the arrangement's automatic maintenance — and the process is invisible while it happens, because at every step the immediate ledger improves.** Where a study finds an order conceding steadily to a subject population, it should stop asking whether the concessions were sincere and start counting which of its own beneficiaries' positions each concession extinguished.

The second contribution follows directly and is the sharper of the two: compensation severs position-logic, and a bought-out beneficiary is not a neutral but an exit. The framework holds that a man defends the whole arrangement by defending his own place in it. It follows that removing his place removes the defence — and that this holds however generously the removal is done, because generosity does not create an interest, it discharges one. The Irish landlord who took his twelve per cent bonus in cash and held Treasury stock thereafter had an income secured on the credit of the United Kingdom and wholly indifferent to who governed Ireland. He had not been defeated, alienated or converted. He had been *paid off*, and a paid-off man has no further reason to be at the barricade. **An order that resolves a conflict by compensating its own supporters should expect the compensated to stop defending it, and should count that as part of the price rather than as a bonus.** This is the mechanism behind an observation the corpus has recorded elsewhere without explaining: that reforming empires often find their own settler and proprietary interests strangely quiescent at the moment of crisis.

Third, Ulster validates the mechanism by holding the confession constant and varying the position. Southern proprietors and Belfast employers shared a church, a political tradition, frequently a schooling and often a family. Their behaviour between 1900 and 1914 was opposite, and the ledgers explain it exactly: the southern landlord's position was a title the Treasury could and did purchase, while the northern industrialist's and the skilled Protestant worker's positions were places in a market and a labour hierarchy that no cash payment could substitute for and that a Dublin parliament would alter. The convergence the framework predicts under threat — parallel self-defence hardening into real, funded, organised resistance — assembled in the one region where the ledgers still read alike, and produced a covenant, an army, a gun-running and a provisional government. **Where a case offers two fractions of one confessional or ethnic group**

behaving oppositely, the study has been handed a controlled experiment, and position will explain it when identity will not.

And a fourth, recorded as a warning because it is the most easily overlooked. The framework treats the floor of force as the instrument the apex commands and the settlement as the thing the floor secures. The Curragh shows that an officer corps is itself a body of position-holders, recruited from somewhere, with ledgers of its own — and that when those ledgers align with a threatened faction, the apex may find its floor unavailable without any act of mutiny occurring, because the order is simply never given. **Before assuming an apex can turn its floor against a domestic faction, establish where the officer corps is recruited from.** In Ireland the answer had been visible since 1609, when the plantation conditions required the undertaker to keep arms and muster his tenants twice a year, and it was still the answer three hundred and five years later.

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A note on sources. The account of the Land Conference — Shawe-Taylor's letter of 2 September 1902, the rejection by the great landowners and by Redmond, Monteagle's committee under Dunraven, the circular finding seventy-five per cent of landowners in favour, the Landowners Convention's refusal to nominate, the appointment of Dunraven, Mayo, Hutchinson-Poe and Everard, the tenant representatives O'Brien, Redmond, Harrington and Russell, the five meetings and the unanimous report of 3 January 1903 — follows the appendix on Irish land war legislation in the published memoirs of Andrew J. Kettle, corroborated by the modern reference literature. Redmond's report of Dunraven's phrase about Wyndham being breast high for a big deal is from his letter to William O'Brien of 1 December 1902 in the O'Brien papers at the National Library of Ireland, as quoted in the *Irish Historical Studies* article on T. W. Russell and the compulsory purchase campaign; the manuscript has not been consulted directly and the phrase is Redmond's report of Dunraven's report of Wyndham, which should be borne in mind. The terms of the Wyndham Act — the twelve per cent bonus, payment in cash, the two and three-quarter per cent guaranteed land stock, the demesne provision, and the maximum authorised expenditure of £150,000,000 — are as given in the same appendix and are consistent with the Act. Redmond's own estate sale and the criticism it drew is as set out in the *Historical Journal* article on the subject, paraphrased and credited.

The Curragh sequence of 20–23 March 1914 — Paget's briefing, the provision permitting Ulster-domiciled officers to absent themselves, Gough's consultation and the resignations, the encouragement from London, the written assurance signed by Seely and initialled by French and Ewart, Asquith's repudiation, and the resignations of Seely, French and Ewart — is drawn from the concurring modern accounts. The number of officers is given variously as fifty-seven, fifty-nine and sixty of seventy in Gough's brigade, and no single figure is asserted here. Whether the affair is properly called a mutiny is disputed, on the ground that no order was issued and none disobeyed; that dispute is noted rather than resolved, and the analysis here does not depend on it.

The Ulster Covenant is quoted from the text held by the Public Record Office of Northern Ireland. The UVF's target and approximate strength of a hundred thousand by

early 1914, the Larne landing of April 1914, and the Ulster Unionist Council's provisional government resolution are as given in the standard accounts. The 1886 general election result in Ireland of eighty-four seats for the Irish Parliamentary Party is as returned.

Characterisations stated qualitatively rather than quantified, because the reliable series are not reproduced here: the over-representation of Irish Protestants in the Indian and colonial services; the confessional sorting of skilled employment in Belfast industry; and the composition of the regular army's officer corps by national and confessional origin, which is the subject of continuing scholarly argument and on which no proportion is asserted. Charles Lindblom's account of the privileged position of business and Nicos Poulantzas's structural account of state power, on which the framework's default mechanism draws, are credited in the companion paper rather than restated here.

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Part of the collection Patterns of Power. *Tested, never revealed.*

MODULE 9 · PLURALITY OR FORECLOSURE

The Fraudulent Pretence of Irish Representation

Module 9 · Plurality or Foreclosure — which protections existed, who held the key to them, and the factional fight behind every concession the majority ever received.

The charge to be tried

In 1875, having been returned unopposed for Tipperary while legally ineligible to sit, John Mitchel told his electors that he intended to go on discrediting and exploding what he called the fraudulent pretence of Irish representation, by declining to attend the sittings of parliament.

That is the charge this module has to try, and it is the right one, because it is the strongest form of the claim that Irish liberty was rhetoric. The framework's question is whether the three monopolies — organised violence, wealth, and the information a population trusts — sat in one hand or were genuinely prised into hands that could check one another. And the discipline the framework insists on is that counterweights are never created by the people at the bottom. They are extracted by factions inside the hierarchy bargaining from strength, and they accrete as residue from fights that were about something else. So the test is not whether Ireland had liberties. It is which ones, held by whom, revocable by whom — and, for every gain the majority ever made, which quarrel between men above them produced it.

The answer this module reaches is that Mitchel was wrong about the pretence and right about the arithmetic, and that the difference between those two things is the whole liberty variable.

The protections were real

Begin where the evidence is strongest against the polemic, because an account that cannot explain the archive is not an account.

Ireland under the Union had habeas corpus, trial by jury, an unlicensed press, the right of petition, freedom of association, an independent judiciary, courts open to Catholic litigants and, from 1829, to Catholic barristers and judges, and a parliamentary franchise

that expanded across the century until it reached most adult men. These were not decorative. Irish opposition to British rule was conducted, for a hundred and twenty of its hundred and twenty-one years, overwhelmingly *through* them.

Consider what that actually looked like. O'Connell built a mass organisation funded by a penny-a-month subscription collected at chapel doors, held meetings of a scale that alarmed the government, and won a county seat he could not occupy — all of it lawful, which was precisely Wellington's difficulty in 1829. The Tenant League organised openly in 1850. The Land League from 1879 held public meetings, published accounts, ran a boycott campaign in the newspapers, and took subscriptions from America. From 1885 eighty-odd Irish members sat in the House of Commons, obstructed its business, held the balance of power twice, and forced the Irish question onto the floor in session after session. A nationalist press published continuously — the *Nation*, the *Freeman's Journal*, *United Ireland* — and when *The Times* forged a letter to destroy Parnell, Parnell sued and a judicial commission sat for a hundred and twenty-eight days and broke the forger in open court.

None of that is possible in a foreclosed order. A study that describes British Ireland as a straightforward tyranny has to explain how a suppressed people fielded a parliamentary party, a legal profession, a press and an international funding network, and it cannot.

But the key was held elsewhere

And yet every one of those protections was suspendable, and the suspension was always lawful.

Habeas corpus was suspended repeatedly. Trial by jury was suspended in proclaimed districts under the Insurrection Acts and their successors. Newspapers were suppressed. Associations were proclaimed illegal. Under the Protection of Person and Property Act of 1881 something over nine hundred and fifty people were imprisoned without trial, including the leader of the Irish Parliamentary Party — by a Liberal government, in the same session in which it was passing the most generous land reform yet offered.

Module 3 established the mechanism: the exception was enacted, so the ordinary law remained the declared rule while being set aside by statute on a roughly decadal cycle. What belongs here is the constitutional arithmetic underneath it.

A suspension required a majority in the House of Commons. Ireland returned one hundred members of six hundred and fifty-eight. Even at the height of its unity and discipline, with every Irish nationalist seat won and every member voting together, the Irish representation could not come within five hundred votes of preventing anything. It

could obstruct, embarrass, delay and — at two moments, when the British parties were evenly divided — decide. It could never defend.

So the finding is this: Ireland possessed every English liberty and held the lock on none of them. The rights were genuine, exercised daily, and worth having; the power to withdraw them sat permanently with a body in which Ireland was outnumbered five and a half to one. Mitchel called the representation a fraudulent pretence. It was not a pretence — it was real and it twice mattered enormously. But it was a hundred votes, and a hundred votes cannot protect a liberty against a chamber of six hundred and fifty-eight.

That distinction is the module's first contribution to the framework, and it generalises: **contestability is not the existence of counterweights but a veto over their removal.** A right you hold at another body's pleasure is a right you hold until the day that body finds it inconvenient, and the record of Irish coercion is the record of exactly how often that day arrived.

Where the three monopolies sat

Run the lens directly and the case resolves into a shape that explains everything that followed.

Violence was held in one hand and was never seriously contested until 1912 — and then, as Module 8 showed, it was contested by the settlement's own beneficiaries rather than by the governed, and the government discovered at the Curragh that it could not command its own officer corps against them.

Wealth began in one hand — the proprietary settlement descended from the forfeitures — and was then progressively dispersed by the state itself, through judicial rents, purchase Acts and the abolition of the grand jury, until by 1914 something like two-thirds of Irish agricultural land was owned by the people farming it.

Trusted information was never held at all, and that is the case's decisive fact. Two churches operated in Ireland and the state controlled neither: it failed to buy the Catholic collar in the Veto controversy and got a defensive revival out of its own establishment in 1833. The press was unlicensed and published in both political languages. The bar and the bench, which in an order that governs by law is where trusted interpretation actually sits, produced Molyneux, O'Connell, Butt, Redmond, Russell and Carson — men trained in the instrument the rule ran on and using it against the ruler. The universities were plural by the end. And after 1884 a mass electorate had its own newspapers, its own party and its own money.

The tripod's claim is that the information leg is load-bearing, because it is the one that makes an order cheap, and that it is defended by the other two. In Ireland it was never

taken, and the other two could not take it: violence could suppress a paper but not the bar, and wealth could endow a seminary but not steer it. **Which is why this order was expensive for a hundred and twenty years, why surveillance and coercion statutes were permanent features of it, and why the residue accreted rather than being cleared away.** An order that holds two legs and not the third does not fall; it pays.

Every gain, dated to its fight

Now the discipline the seed set for this case, and the trap it exists to avoid. Ireland is the most attractive Whig-history case in the collection, because the reforms are real, cumulative and generous, and they invite the story of a liberal state gradually recognising justice. Every Act must therefore be dated to the quarrel at Westminster that produced it, or the finding fails.

Emancipation, 1829. Produced by the Clare election of 1828, in which a legally ineligible candidate defeated a sitting minister, and carried by Wellington and Peel against their own party because, as Wellington told the Lords, the movement could not be dealt with by law — it had committed no offence — and the alternative was arming one part of the population against the other. And the price was extracted the same day: the Parliamentary Elections (Ireland) Act raised the county qualification from forty shillings to ten pounds, cutting the Irish electorate by roughly four-fifths and falling precisely on the tenant farmers who had returned O'Connell. **An "in" for the Catholic gentleman, purchased with an "out" for the Catholic farmer.** The first great concession of the century was simultaneously the largest single disfranchisement of it.

The Whig reforms, 1835–41. In November 1834 Melbourne's government was dismissed; Peel formed a minority administration and went to the country in January 1835. O'Connell's Repealers took thirty-four Irish seats and the Whigs thirty-four, and together they carried a majority of the Irish representation. The Lichfield House Compact bound Whigs, Radicals and Repealers, Melbourne replaced Peel in April, and the tithe settlement of 1838, the municipal corporations reform and the Irish Poor Law followed. O'Connell's own supporters called the compact a betrayal of Repeal, and in the narrow sense they were right: he had traded the constitutional demand for a share in a British government. **Irish votes made a British ministry, and reform was the invoice.**

Maynooth, 1845. Peel tripled the grant to detach the clergy from the Repeal movement, at the cost of a million signatures against, a party split and Gladstone's resignation from his Cabinet. A concession produced by a Prime Minister's calculation that resisting reform led to enforced concession later.

Disestablishment, 1869. This is the clearest case in the century and it should be stated bluntly, because it is the largest single concession ever made to the Irish Catholic majority and it was chosen as a party manoeuvre.

The Liberal Party had been badly divided by the parliamentary reform struggle that ended in Disraeli's Reform Act of 1867, and Gladstone had been outmanoeuvred and humiliated in it. The Fenian violence of 1867, culminating in the Clerkenwell explosion that December, put Ireland on the agenda. In December 1867 Gladstone privately weighed whether the Irish Church question might again lead the Liberal Party to martyrdom. In March 1868, on an Irish member's motion on the state of Ireland, he declared that the Irish Church as a State Church must cease to exist; carried a motion to go into committee on disestablishment against Disraeli's government by fifty-six; carried his resolutions by larger majorities still; and forced the general election of November 1868, which returned him with a majority commonly given as between 112 and 120. The Irish Church Resolutions were, in the plainest description available, a measure to reunite the Liberal Party — and they worked.

The clause that Article Fifth had declared *an essential and fundamental part of the Union*, and that the Clerk had read aloud from the table of the Commons in 1856 and again in March 1868 as a bar to touching it, was abolished the following year. The Fenians put the subject on the table. The state of the Liberal Party determined that it was acted on.

The Land Acts, 1870 and 1881. Gladstone's first attempt extended the Ulster custom where it existed and offered compensation elsewhere; agrarian unrest grew anyway, and the Land War of 1879–82 made the collection of rent cost more than the rent. The Act of 1881 gave fair rent, fixity of tenure and free sale — and was passed in the same session as a Coercion Act under which the government imprisoned the movement's leadership without trial. Concession and repression are not alternatives in this case; they are the two halves of a single policy, enacted by the same ministry within months of each other, and the Kilmainham understanding of 1882 that released Parnell in exchange for the settlement of arrears and an end to the agitation is the transaction made explicit.

The franchise, 1884. And here is the purest instance of the rule, so pure that it is easy to miss. The Representation of the People Act was a United Kingdom measure, fought at Westminster over the county franchise and the position of the English agricultural labourer, and forced through against a Conservative House of Lords. Its effect in Ireland — the electorate rising from 225,999 to 737,965 in a single year, and eighty-five nationalist seats at the following election — was a by-product. **The single largest expansion of Irish political capacity in the entire period was not an Irish concession at all. It was the residue of an English argument about English farm labourers.**

Home Rule, 1912. The Irish Party held the balance after both general elections of 1910. What it traded its votes for was the Parliament Act of 1911, which removed the House of Lords' absolute veto — itself the product of a British constitutional crisis over a British budget. Only after the veto had been reduced to a two-year delay could a Home Rule Bill survive the chamber that had killed the last one. The Irish did not win Home Rule by persuading anyone. They bought a procedural change in a fight about land taxes, and the procedural change made the bill possible.

Set the whole list side by side and the pattern does not have a single exception. **At no point in a hundred and twenty years did the Irish majority obtain anything by outvoting anybody.** Every gain arrived at a moment when a British faction needed something — a majority, a unifying issue, a way out of an ungovernable situation, or a bloc of a hundred votes — and every gain was accordingly shaped by that faction's requirements rather than by the claimants'.

This does not diminish the gains, and the module refuses both available sentimentalities. The gains were enormous and they were real: a peasantry converted into freeholders, an establishment abolished, a franchise extended, local government elected. And they were not given because anyone was persuaded of anything, and they were not taken by a rising. Wellington said as much in 1829 and Gladstone's own December 1867 calculation says as much for 1869.

The same liberty, differently administered

One further test, and it is the sharpest evidence in the module, because it holds the statute constant and varies the party.

In 1881 a Liberal government proclaimed the Land League, imprisoned its leadership without trial, and held some nine hundred and fifty people under a coercion Act. In 1913 and 1914 the Ulster Volunteer Force — a hundred thousand men — drilled openly, was reviewed in public by the leader of the parliamentary opposition's ally, landed a cargo of German rifles at Larne in April 1914, and constituted a provisional government to take power in a province of the United Kingdom. Its organisers were not proclaimed, not interned, and not prosecuted.

The same statutes existed. The same courts sat. The difference was that one movement's suppression was politically available and the other's was not — because the second had the Opposition, a large part of the press, much of the officer corps and a substantial part of the House of Lords standing behind it, as Module 8 traced.

A formally plural order can be substantively foreclosed for one party through enforcement alone, without any discriminatory statute, and the tell is asymmetric

prosecution of identical conduct. This belongs beside Module 6's finding about uniform taxation and Module 3's about the robe of legal equality: three different instruments, all operating through *sameness*, all producing radically unequal effect, and none of them requiring a discriminatory law that could be repealed.

The claimant and the ratchet

Which brings the module to the finding this case was selected to test.

The previous study in this collection concluded that in a long factional order the gains are not the ratchet — they can be and are reversed — but the claimant is: a faction that has once been recognised as a party to a bargain acquires an organisational memory, a leadership, a legal repertoire and a set of expectations that survive the reversal of everything it won.

Ireland confirms the claimant half emphatically. Follow the succession: the Catholic Committee, the Catholic Association (suppressed 1825), the Repeal Association, the Tenant League, the Irish Republican Brotherhood, the Home Government Association and Home Rule League, the Land League (proclaimed 1881), the National League, the United Irish League, the Irish Parliamentary Party, Sinn Féin. Every suppression produced a successor within a few years, because what was being suppressed was an organisation and what could not be suppressed was the *position*: a large population with priests, lawyers, newspapers, a franchise and American money. The state proscribed bodies and the claimant reassembled, each time with more of the previous body's methods retained.

But the gains ratcheted here too, and in Galicia they did not, and the difference is the case's distinctive contribution.

Look at what was reversible and what was not. The franchise proved reversible in 1829, when four-fifths of the Irish electorate was legislated away on the same day the Relief Act passed. Trial by jury proved suspendable, repeatedly. A judicial rent was an administrative award that another statute could have re-set. A national school system was captured rather than kept. Every one of those is a form of *standing*, granted by a body that retained the power to withdraw it.

The land settlement was different in kind. A tenant who purchased under the Ashbourne, Balfour, Wyndham or Birrell Acts held a registered freehold in his own name, bought with a Treasury advance repayable by annuity over decades. To reverse that, parliament would have had to confiscate the freeholds of some three hundred thousand smallholders — an act of a completely different order from disfranchising them, requiring physical enforcement, generating an immediate and enormous new claimant, and

destroying the government stock in which the previous proprietors' compensation was invested. Nobody was going to do it, and nobody proposed to.

So: residue survives reversal in proportion to how hard it is to un-give, and the most durable form residue can take is title. Standing is withdrawn by the same body that conferred it, at the cost of a debate. Property must be taken, and taking is visible, expensive, requires the floor of force to be used against people who are not resisting anything, and manufactures a new claimant on the spot. That is why the Irish land settlement of 1885–1909 outlasted the Union that made it, the Treasury that financed it, and the state that succeeded both.

The corollary is the practical instruction, and it is uncomfortable rather than uplifting. **A claimant faction that converts its gains into standing has won something reversible; one that converts them into property has won something that must be confiscated rather than merely repealed.** The Irish tenant's freehold was more durable than the Irish voter's franchise, and it was more durable for a reason that has nothing to do with justice and everything to do with the cost of the reversal.

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Reading the Irish liberty variable against the framework

First: contestability requires a veto over the removal of counterweights, not merely their presence. The framework's most useful practical conclusion is that what has ever measurably improved a subject population's position is not escape from the three monopolies but forcing each to be held by more than one hand. Ireland shows that the test needs a second clause. Every English liberty existed in Ireland and was exercised strenuously — press, petition, assembly, jury, habeas corpus, franchise, an independent bar — and every one of them was suspended by statute, lawfully, on a recurring cycle, by a chamber in which Ireland held one hundred seats of six hundred and fifty-eight. **A counterweight that the apex can lawfully remove at will is not a check; it is a permission.** When running the lens on any case, therefore, do not stop at asking whether the protections exist and are used. Ask who can withdraw them, by what procedure, and whether the protected party has any capacity to block the withdrawal — and record an order as foreclosed on that axis even where its liberties are formally complete and daily exercised.

Second: an order that never captures the trusted-information leg pays for its rule indefinitely, and Ireland is the negative demonstration of the tripod's load-bearing claim. The British state held violence in Ireland uncontested for a century and held wealth

until it dispersed it deliberately. It never held the third leg for a day. It tried to buy the Catholic collar and was refused; it endowed the seminary and got a clergy that organised the Land League; it installed a national school system and the clergy staffed it; it reorganised its own establishment and detonated the Oxford Movement; and the interpretive profession that a law-governed order most depends on — the bar — supplied the opposition's leadership in every generation. The consequence is exactly what the framework predicts for an order missing the leg that makes rule cheap: permanent coercion statutes, a permanent armed constabulary, a permanent surveillance apparatus, and a bill that never came down. **Where a case shows an order holding force and wealth but not the trusted channel, do not predict collapse; predict expense — and look for the coercion statute that never lapses.**

Third, and this is the finding the case was chosen to produce: residue durability is a function of un-givability, and title is its most durable form. The prior study's conclusion that the claimant rather than the gains is the ratchet holds here in full for standing — the franchise was cut by four-fifths in 1829, jury trial was suspended whenever wanted, the school system was captured, and the claimant survived all of it and reassembled under a new name within a few years, eleven times over. But Ireland adds the case where the gains ratcheted as well, and isolates why. **Gains that take the form of standing can be withdrawn by the body that granted them, at the cost of a parliamentary majority. Gains that take the form of registered property must be confiscated — which requires the floor of force to be used against people who are not resisting, creates a new claimant in the act, and destroys the compensation paid to the previous holders.** The Irish land settlement was therefore irreversible in a way that no Irish political concession of the same century was, and it outlived the state that made it. A study assessing whether a subject population's gains will survive the next reversal should classify each gain by which of the two forms it took, and should expect the property to hold when the standing does not.

And fourth, recorded as the mechanism by which a plural order forecloses without legislating. The Land League was proclaimed and its leaders interned without trial in 1881; the Ulster Volunteer Force drilled, armed, imported rifles and declared a provisional government between 1912 and 1914 without a prosecution. The statutes were identical and the courts were the same. **Where a study finds equal law, it must still check enforcement, because asymmetric prosecution of identical conduct produces foreclosure with no discriminatory statute to point at and nothing to repeal.** Taken with this study's earlier findings — that a uniform tax schedule across unequal regions is a transfer with no author, and that a robe of legal equality can be the extraction's operating principle rather than its cover — the case yields a general caution: **in an order that gov-**

erns by formal equality, the instruments of unequal rule will be found in application rather than in text, and a study that reads only the statute book will report a liberty that the governed did not have.

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A note on sources. Mitchel's address to the Tipperary electors is quoted from the *Dictionary of National Biography* of 1885–1900, which is in the public domain. Wellington's speech of 2 April 1829 is quoted in Module 3 from the Hansard text and is relied on here without re-quotation. Gladstone's December 1867 remark that the cause of Irish disestablishment might again lead the Liberal Party to martyrdom, his declaration of March 1868 that the Irish Church as a State Church must cease to exist, the carrying of his motion by fifty-six, and the general election of November 1868 are as set out in the parliamentary and scholarly accounts of disestablishment, including the UK Parliament's own published history; the characterisation of the Irish Church Resolutions as a measure to reunite the Liberal Party is the standard reading in that literature and is stated as such. Gladstone's "My mission is to pacify Ireland" is universally attributed to the moment he received news of the 1868 result at Hawarden, on the authority of Evelyn Ashley's recollection; the anecdote is well attested but is a reported remark rather than a documented text, and his majority is given variously as 112, 116 and 120.

The Lichfield House Compact of 1835 — the dismissal of Melbourne in November 1834, Peel's minority government, the January 1835 election, the Repeal Association's thirty-four Irish seats alongside thirty-four Whig seats, and Melbourne's return in April — follows A. H. Graham's account in *Irish Historical Studies* (1961) and the election returns in Walker's *Parliamentary election results in Ireland, 1801–1922*. The Irish electorate figures of 225,999 in 1884 and 737,965 in 1885 are as given in Module 7. The reduction of the Irish electorate by the Parliamentary Elections (Ireland) Act 1829 is given as approximately four-fifths on the basis of contemporary estimates rather than a register, and the qualification change from forty shillings to ten pounds, with assent on the same day as the Relief Act, is not in dispute.

The figure of somewhat over nine hundred and fifty imprisoned under the Protection of Person and Property Act 1881 is as given in the secondary literature on coercion and is approximate. The Kilmainham understanding of 1882 is described in general terms; it was an informal arrangement whose precise contents were disputed by the parties at the time and remain so. The account of the Parliament Act 1911 as the price of Irish support after the two elections of 1910, and as the procedural precondition for the third Home Rule Bill, is the standard reading and is stated qualitatively; no division figures are asserted. UVF strength of approximately one hundred thousand by early 1914 and the Larne landing of April 1914 are as given in Module 8.

The succession of nationalist organisations is listed for structure rather than as a claim about continuity of membership, which varied greatly and in several cases involved open hostility between successive bodies. The land purchase totals relied on in the argument about irreversibility are those given in Module 6 and are orders of magnitude; the figure of

some three hundred thousand purchasing tenants is drawn from the 1908 return of approximately 316,000 and does not include purchases after that date. The framework's own vocabulary — the three monopolies, contestability, capture, the claimant and the ratchet — is developed in the companion papers and in the preceding study of Habsburg Galicia, whose finding on the claimant is tested rather than assumed here.

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Part of the collection Patterns of Power. *Tested, never revealed.*

MODULE 10 · CHANGE AND COLLAPSE

The Chosen Leader of the Great Majority

Module 10 · Change and Collapse — whether an armed movement changed the structure, and what actually re-priced the arrangement between 1916 and 1921.

The test this module exists to fail

The framework's account of change is the hardest claim in the collection and the one most likely to be wrong. It holds that structural change does not come from the rising of the ruled, because a durable order is an armed settlement and only those who command organised force can alter it; that a rising against an intact floor is crushed with a regularity approaching a law; and that change arrives when the floor itself cracks — through elite fracture, through exhaustion in great-power war, through conquest by a rival apex, or through the overbreeding of claimants the order cannot seat. The common man is present at the opening as soldier, crowd and weight, but never as author.

Ireland between 1916 and 1921 is the place in this corpus where that claim is most exposed, because here a non-state armed force operated against a great power and the structure changed. If the framework is going to fail anywhere, it fails here, and the honest procedure is to test it rather than to arrange the evidence around it.

The answer this module reaches is that the framework survives, but only after being made considerably more precise — and that the sharpening is the module's contribution. The armed campaign did something real and irreplaceable, and it did not do what it is usually credited with.

1916: the prediction, confirmed exactly

Start with the case that ought to embarrass the framework and does not.

The Easter Rising of 1916 put perhaps a couple of thousand men and women into the centre of Dublin against an intact garrison in the third year of a world war. It was militarily hopeless from the first hour and was over in under a week, ended by artillery brought up the Liffey and by numbers. It was disowned by the constitutional nationalist

party, condemned by much of the Catholic hierarchy, and greeted with hostility by a good part of the Dublin population whose city had been shelled.

That is the framework's expectation met in full. A rising against a working floor of force loses, and this one lost on schedule.

What followed is where the mechanism actually sits, and it was not military. The executions of fifteen of the leaders between 3 and 12 May 1916, conducted over ten days by a general acting under martial law, altered the cost column rather than the floor. They did not weaken the garrison by a single man. They made the arrangement more expensive to hold, by converting a defeated and unpopular action into a grievance the constitutional party could not answer, and by giving the movement a set of names.

The two years that made a counter-elite

Between the Rising and the general election of December 1918 the structural change happened, and neither of its two decisive moments involved a shot being fired.

The first was **conscription**. In April 1918, after the German spring offensive, the Cabinet decided to extend the Military Service Act to Ireland. The Irish Parliamentary Party — which had spent forty years arguing that its presence at Westminster gave Ireland leverage — could not stop it. Its members walked out of the House of Commons and came home. The Catholic hierarchy mounted a national campaign and an anti-conscription pledge was taken at the church door of every parish on Sunday 21 April 1918, which is the identical instrument the Catholic Association had used in the 1820s and which had produced Clare and Emancipation. In May the government arrested seventy-three prominent members of Sinn Féin. In June Arthur Griffith won East Cavan from prison.

Note precisely what died there. The IPP's whole proposition was that a hundred Irish members inside the British parliament could protect Irish interests. Module 9 showed the arithmetic of that claim: a hundred votes of six hundred and fifty-eight can decide when the British parties are evenly balanced and can never defend. In April 1918 the demonstration was public and total. The constitutional claimant was not defeated by an argument; it was shown to have nothing to sell.

The second was **the election of 14 December 1918**. Sinn Féin took 73 of the 105 Irish seats; the Irish Parliamentary Party, which had held around 73 or 75 at the dissolution, was reduced to six, four of them saved by a pact brokered by the Catholic primate; Unionists took 22 to 26 depending on how the allied groupings are counted. Twenty-five Sinn Féin candidates were returned unopposed at the close of nominations.

Two honesty checks belong here, and the second corrects a finding of this study's own.

The mandate was real but the system flattered it: Sinn Féin took roughly three-quarters of the seats on about 48 per cent of the vote across the island, though around 65 per cent in what became the twenty-six counties, and a quarter of its seats were uncontested. And the franchise explanation, which this study leaned on heavily for 1884, does not carry 1918. The Representation of the People Act had nearly tripled the Irish electorate from about 700,000 to about 1.93 million — the largest franchise extension in United Kingdom history — and it is natural to assume the two facts are connected. The econometric work on the constituency returns finds otherwise: new female electors appear to have been *less* likely to support Sinn Féin and less likely to vote at all, and new male electors no more likely than the existing electorate. The 1918 result was a change of heart in the electorate rather than a change of its composition. **Module 7's finding that the franchise is the variable holds for 1884–85 and does not hold for 1918, and the study records the limit rather than extending the claim past its evidence.**

What Sinn Féin actually built, and why it is not a rising

Here the framework's fourth crack does the work, and calling the period 1919–21 a rebellion obscures what was happening.

The men and women who took over Irish nationalism after 1916 were not peasants and were not workers. They were schoolteachers, journalists, clerks, solicitors, shop assistants, university lecturers and civil servants — the Catholic professional and commercial class that Module 8 identified as the class British reform had manufactured and British institutions had no seats for. Educated at the national schools and the Catholic colleges, credentialled, literate, enfranchised, and blocked. That is elite overproduction in the framework's precise sense: an order seating fewer claimants than it produces, whose surplus turns against it and leads the population as the fuel of its own campaign.

And what that surplus elite built was not a revolt. It was a state.

Dáil Éireann assembled on 21 January 1919 and issued a Declaration of Independence and a Democratic Programme. It appointed ministers. It created a Ministry of Finance and floated a National Loan, subscribed at home and in America. It ran a diplomatic service that sought recognition abroad. It established courts — the Dáil courts — which by 1920 were hearing land disputes and civil actions across much of the country while the King's courts sat empty, and it did so with the acquiescence of solicitors who had qualified under the British system. It won control of most local authorities in the 1920 local elections and those councils then recognised its authority and stopped corresponding with the Local Government Board. And it claimed, with varying degrees of actual control, an army.

That is not the ruled rising against an intact floor. It is a counter-elite with an electoral mandate constructing a rival apparatus of government — courts, revenue, foreign representation, local administration and armed force, the same four things the state it was displacing possessed. The framework says structural change comes from those who command organised force and organised authority. Sinn Féin between 1919 and 1921 was in the process of becoming exactly that, and the question of whether it "came from below" is answered by looking at who was in the Dáil.

What the armed campaign did

Now the narrow question, stated carefully.

The Irish Republican Army did not defeat the British Army, did not attempt to, and could not have. Its operations were ambushes, assassinations of police and intelligence officers, raids for arms, and the burning of barracks and tax offices. In a set-piece engagement it lost.

What it did was make ordinary administration impossible. The Royal Irish Constabulary — the instrument Module 1 traced as the state's great nineteenth-century achievement, the armed national police built to replace an unreliable yeomanry — was the campaign's principal target, and it broke as a recruiting proposition. Men resigned; recruitment in Ireland collapsed; barracks in the countryside were abandoned and burned; and from early 1920 the government filled the ranks with British ex-servicemen, the Black and Tans, and with the Auxiliary Division. Those forces then conducted the reprisals that Module 7 recorded destroying the robe at home, and the first six months of 1921 were the bloodiest of the conflict, with something approaching a thousand lives lost.

So the armed campaign operated on the cost column, exactly where the framework says such pressure operates. It did not crack the floor. It made the floor expensive, and — more consequentially — it made the civil administration that the floor existed to protect unable to function.

The apex was not beaten, and knew it

This is the load-bearing evidence for the module's finding, and it comes from the British side.

In December 1920 an approach was made through Archbishop Clune of Perth. Collins told him the IRA was not broken; Griffith, from prison, said there would be no surrender whatever frightfulness was used. Lloyd George appears to have been tempted, and put the possibility to his commanders — Macready, commanding in Ireland, Tudor, command-

ing the police, and Greenwood, the Chief Secretary. All three rejected it out of hand and asked for more time. Macready, whose view had hardened considerably over the course of 1920, argued that the insurgency could be broken if martial law were extended across the country.

Lloyd George took their advice and committed to coercion from late December 1920, on the expectation that the IRA's back would be broken by the time elections were held under the Government of Ireland Act in May. As late as **12 May 1921 the Cabinet voted nine to five against offering a truce**.

Hold that vote steadily, because it forecloses the heroic reading as firmly as Wellington's 1829 speech forecloses the sentimental reading of Emancipation. Six weeks before the truce, the British Cabinet, fully informed, with its commanders in the field advising that the campaign could be won, decided by a clear majority to continue. The change that followed was not a military defeat and nobody on the British side described it as one.

What changed in June 1921

Three things moved between the vote of 12 May and the Cabinet's decision of 24 June to propose talks, and the third is the one that matters most.

First, the elections destroyed the political instrument. The Government of Ireland Act of 1920 had partitioned the island and provided parliaments for Northern and Southern Ireland. Elections were held in May 1921. In the south, Sinn Féin won every seat unopposed on 24 May and used the returns to constitute the Second Dáil. The Southern parliament could not be assembled. And the government's own contingency, if the Act could not be made to work, was that Southern Ireland would become a Crown Colony under martial law by July — which is to say Ireland would be governed openly by force with no democratic legitimation whatever.

That is the robe running out, and it can be dated. An order that had governed Ireland for a hundred and twenty years on the proposition that Ireland was not a colony but a constituent part of the United Kingdom, subject to the same law, was left with one remaining option, and the option was to declare it a colony and rule it by martial law. Module 3 showed the state suspending liberties by statute for a century while preserving the claim that the ordinary law was the rule. In May 1921 that device reached the end of what it could cover.

Second, the exhaustion was general. Britain in 1920–21 was carrying the debt of the world war, demobilising, and facing simultaneous crises across its holdings — Amritsar and its aftermath in India, the Egyptian revolution, the Iraqi revolt of 1920, the Palestine mandate, and an intervention in Russia. Ireland was one item in a queue, and it was the

item nearest home and most visible to a public that had just buried three-quarters of a million men.

Third — and this is the finding — partition had already removed the fracture that paralysed the British elite.

Jan Smuts, in London for the Imperial Conference, wrote to Lloyd George in June arguing two things. The first was that the reprisals policy was doing serious damage to imperial relations and to Britain's reputation. The second was structural: **with the northern parliament established, the concern about the coercion of Ulster could be set aside**, and the opportunity taken to deal on the most statesmanlike lines with the rest of Ireland.

Read that beside Module 8. The British state's Irish problem from 1886 onward was never simply the Irish majority. It was that its own governing coalition contained a faction pledged to a minority in Ireland — the alliance that split the Liberal Party in 1886, that armed Ulster in 1912 with the Opposition's public blessing, and that made the government's own army unavailable at the Curragh in 1914. That faction held a veto on any Irish settlement, and had exercised it for thirty-five years.

The Government of Ireland Act 1920 dissolved the veto by giving the faction what it wanted. Once Northern Ireland existed, with its own parliament opened by the King on 22 June 1921, the Ulster question was no longer at stake in a settlement with the south — and the Conservative and Unionist half of the coalition could consent to negotiate. Austen Chamberlain, the new leader of the Unionist Party, put it in terms that show the calculation exactly: the King's speech ought to be followed up as a last attempt at peace before going the full lengths of martial law.

The guarantee to the garrison made the settlement with the majority politically available, and it was legislated first. The Government of Ireland Act is 1920; the Treaty is December 1921. The sequence is the evidence.

On 24 June the Cabinet decided to propose talks. Lloyd George wrote to de Valera the same day, addressing him as *the chosen leader of the great majority in Southern Ireland* — recognising the election of 1918 and the returns of May 1921, not the ambushes. The truce took effect at noon on 11 July.

Who wrote the terms

And then the settlement was drafted by the party that had not been defeated.

Lloyd George told de Valera plainly that Britain would not negotiate on the basis that Ireland was an independent sovereign state, and wrote on 18 September that from the outset Britain had looked to Ireland to owe allegiance to the Throne and to take its future

as a member of the British Commonwealth. What the British team put forward was, in substance, an improved version of the 1912 Home Rule Bill. The Treaty signed on 6 December 1921 gave the twenty-six counties dominion status within the Empire, an oath, British retention of the Treaty ports, a share of the imperial debt — and partition, already enacted and now confirmed.

The armed campaign had determined *that* there would be a settlement. It did not determine *what* the settlement was. Every substantive term was set by British requirements, and the requirements were the ones the British elite's own internal alignment had generated over the preceding thirty-five years.

And the terms split the movement that had won them. The Dáil ratified the Treaty by 64 votes to 57 on 7 January 1922, and a civil war followed within six months between men who had fought the same campaign together. That is the shape the previous study in this collection predicted: an order held together by an arbiter ends not when one party wins but when the arbiter becomes irrelevant, at which point the parties discover they have no experience of settling anything without a centre — and it ends in a war between its own beneficiaries. Ireland supplies the second instance, twice over: partition between two armed communities matured under the same arbiter, and then a civil war inside one of them.

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Reading Irish change against the framework

The principal refinement is that forcing a re-pricing and authoring an outcome are two different achievements and must be scored separately. The framework already grants that pressure from below is a genuine cause while never the proximate agent, and treats that as one distinction. Ireland shows it is two. The armed campaign of 1919–21 did something no amount of parliamentary pressure had achieved in a century: it made the civil administration of the country unworkable, destroyed the police force that Module 1 identified as the state's central nineteenth-century instrument, and left the apex with a choice between a deal and openly colonial government. That is a real and irreplaceable causal contribution, and a study that reduces it to "the British were tired" is falsifying the record. But the campaign did not defeat the floor, was told so by the British commanders who were asked in December 1920 and again in May 1921, and had no influence whatever on the shape of what followed — dominion status rather than a republic, an oath, the ports, and a partition legislated the year before the negotiations opened. **An armed movement can compel a settlement while having no capacity to write one, and where that**

is so, the settlement's terms will be read off the apex's own prior fracture lines rather than off the movement's demands. Score the compulsion and the authorship separately in every case, and expect them to come apart.

The second refinement is a mechanism the corpus has not named: an apex paralysed by an internal faction committed to a subject minority will resolve the paralysis by partitioning the asset, and will do it before settling with the majority. Britain's incapacity to settle Ireland between 1886 and 1914 was not a shortage of force or of ideas. It was a veto held inside its own governing coalition by the party allied to Ulster Unionism — the veto that split the Liberals in 1886, that armed a hundred thousand men in 1912 with the Opposition's blessing, and that made the army unavailable in 1914. The Government of Ireland Act 1920 did not resolve the Irish question; it resolved the *British* question, by giving the vetoing faction a state, after which the settlement with the majority became available within a year. Smuts stated the mechanism in advance and in writing in June 1921. **Where a study finds a metropolitan elite unable to settle a periphery despite overwhelming force, look for the internal faction holding the veto and identify what it is committed to — and expect partition, secured first, as the cheapest instrument for buying that faction's consent.** Partition in such cases is not a compromise between the parties on the ground; it is a payment to a faction of the apex.

Third, the exhaustion of the robe is a datable event and predicts withdrawal better than military attrition does. The framework's account of exhaustion is fiscal and military — the floor spent in great-power war. Ireland adds a third form. In May 1921 the British government was not beaten in the field and had voted nine to five to continue. What it ran out of was not soldiers or money but *descriptions*: the Government of Ireland Act had failed in the south, and the only remaining option was Crown Colony government under martial law, which could not be reconciled with the proposition on which the whole century of rule had rested. **An order that governs by a robe can exhaust the robe before it exhausts the floor, and the tell is the moment its own contingency plan can no longer be stated in the language it governs by.** That is a cheaper and earlier signal than counting casualties, and it is available in cabinet papers.

And fourth, recorded as a correction to this study's own earlier finding. Module 7 concluded that the franchise, not distance, sets the exposure threshold, on the strength of the 1884 Act and the transformation that followed it. The 1918 Act nearly tripled the Irish electorate again and did *not* produce the Sinn Féin landslide; the constituency-level work finds new electors no more likely, and new female electors less likely, to support the party. **The franchise mechanism holds where a previously excluded population is admitted to a functioning representative system that then responds; it does not hold as a general explanation of electoral upheaval, and 1918 was a change of mind rather**

than of composition. The study records the limit rather than extending the claim, because a finding that explains both 1885 and 1918 would explain neither.

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A note on sources. The 1918 election figures are the returns: 73 of 105 seats for Sinn Féin, six for the Irish Parliamentary Party, and 22 to 26 for Unionists depending on whether the allied Labour Unionist and independent Unionist seats are included; twenty-five Sinn Féin candidates were returned unopposed at the close of nominations on 4 December. The vote shares — approximately 48 per cent across the island and around 65 per cent in the twenty-six counties — are as commonly given and are complicated by the uncontested seats, which is stated in the text. The Irish electorate figures of about 700,000 in 1910 and 1.93 million in 1918 are as given in the electoral literature. The finding that the franchise extension does not explain the Sinn Féin result is from the constituency-level study published in the *Journal of Economic History*, paraphrased and credited; it is recent work and is reported as its authors' conclusion.

The conscription sequence of April–June 1918 — the extension of the Military Service Act, the Irish Party's withdrawal from Westminster, the anti-conscription pledge taken at church doors on Sunday 21 April, the arrest of seventy-three Sinn Féin members in May, and Griffith's East Cavan by-election victory on 20 June — follows the concurring accounts. The executions of 1916 are dated 3 to 12 May; the number of leaders executed in Dublin is given as fifteen, with Casement hanged separately in August, and figures in some accounts differ according to what is counted.

The British decision-making of December 1920 to June 1921 is drawn from the published accounts working from the cabinet records: the Clune approach and the responses of Collins and Griffith; Macready's, Tudor's and Greenwood's rejection of a truce and their request for more time; Macready's argument that the insurgency could be broken under extended martial law; Lloyd George's commitment to coercion from late December 1920; the Cabinet vote of nine to five against a truce on 12 May 1921; the unopposed Sinn Féin returns of 24 May; the Crown Colony contingency; Smuts's memorandum and his argument that the northern parliament removed the coercion-of-Ulster problem; the King's speech at the opening of the Belfast parliament on 22 June; Austen Chamberlain's remark about the full lengths of martial law; the Cabinet decision of 24 June; Lloyd George's letter of the same date addressing de Valera as the chosen leader of the great majority in Southern Ireland; his letter of 18 September ruling out negotiation on the basis of an independent sovereign state; and the truce at noon on 11 July. The underlying cabinet documents are cited in the *Irish Historical Studies* literature on the period and have not been consulted directly here; the quotations from Chamberlain, Smuts and Lloyd George are given as reproduced in those accounts.

Figures treated as approximate. The loss of something approaching a thousand lives in the first six months of 1921 is as given in the museum and centenary literature and varies between compilations depending on what is counted. The scale of RIC resignations and

the collapse of Irish recruitment are well attested qualitatively; the totals differ between authorities and none is asserted here. The Dáil's ratification of the Treaty by 64 votes to 57 on 7 January 1922 is the recorded division. The characterisation of the Dáil courts' reach and of local authority recognition of the Dáil in 1920 is drawn from the standard accounts and is stated qualitatively, since the degree of effective control varied enormously by county and is itself a subject of scholarly dispute. Theda Skocpol on state breakdown, Jack Goldstone and Peter Turchin on elite overproduction, and Acemoglu and Robinson on the franchise as credible commitment are credited in the companion paper rather than restated here.

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Part of the collection Patterns of Power. *Tested, never revealed.*

MODULE 11 · THE GRIM ACCOUNTING

One Crop, One Variety

Module 11 · The Grim Accounting — the note the arrangement ran up and how it was called, the ledger of violence from 1798 to 1923, and why the conquest was never forgotten.

Two accountings

This module keeps two sets of books. The first is the debt an advanced order runs up against the ground it stands on — the population that coordination and intensive agriculture lift above what the land would otherwise carry, and what happens when the arrangement that lifted them falters. The second is the ledger of the violence itself, from the floor being poured to the order ending, counted where it can be counted and given in ranges where it cannot.

And there is a third question underneath both, which is whether any of it was remembered. The framework holds that a built order becomes, across generations, the furniture of reality — that the origin was built does not make the belief a lie, it makes it a thing that was built and then became real. Ireland is the case where that process ran to completion for one population and failed almost entirely for the other, and the reason it failed turns out to be written into the founding instrument of 1609.

The note, and how it was actually run up

The population of Ireland stood at something in the order of two to two and a half million around 1700. The census of 1821 returned 6.8 million. The census of 1841 returned 8,175,124 — roughly a quadrupling in a century and a half, with the sharpest acceleration after 1750, driven by early and near-universal marriage and by declining mortality.

What made it possible was the potato. It yielded four to six tons an acre where grain yielded a fraction of that; it grew on marginal ground, on bog margins and mountain sides that would carry nothing else; and it delivered, with buttermilk, something approaching four thousand calories a day from a plot too small to feed a family on any grain. By the 1840s something like three million people — a third of the population — were largely or wholly dependent on it.

The framework's mechanism would read this as classic metabolic debt: a coordinated order lifting a population above the land's unassisted carrying capacity, with the note falling due when the coordination is disturbed. That reading is available, it is the traditional one, and the leading econometric history of the period says it is wrong — and the correction is more interesting than the mechanism it replaces.

Joel Mokyr's work of 1980 argued that population growth in the decades immediately before the Famine had *not* made Ireland more vulnerable to a subsistence crisis, and recent work has confirmed it; growth was in fact already decelerating before 1845, largely through emigration. And Cormac Ó Gráda's finding cuts still harder against the Malthusian picture: Ireland's potato people, with a nutritionally excellent food and free turf to cook it on, were **healthier and longer-lived than the poor elsewhere in Europe**. They were not standing at the calorie margin. By the ordinary measures of pre-industrial poverty they were doing better than their equivalents in France or Naples.

So what was the exposure? Not the number of people relative to the land. **The narrowness of the base they stood on.** Three million people depending on a single crop, of a single variety — the Lumper — grown on something like two million acres. A monoculture with almost no genetic variation cannot fail partially; when *Phytophthora infestans* arrived in September 1845 it met a population of clones. And Ó Gráda's second observation is the one that converts an agricultural fact into a structural one: their poverty meant that when the potato failed **there was nothing to trade down to**, because they were already eating the cheapest food that exists.

The controlled comparison is available and it is decisive. The blight struck across Europe in the 1840s. It caused hardship widely and excess mortality in the Low Countries and parts of Germany. Nowhere else was Ireland's catastrophe repeated. Same pathogen, same years, different structure.

And the structure was the arrangement's. Modules 5 and 6 traced the mechanism without naming this consequence: the Irish tenant grew grain and raised stock to pay a rent, and ate potatoes; improvements he made accrued to his landlord and could be reflected in his next rent, so improving was irrational; subdivision pushed holdings smaller with each generation; and the cottier's conacre patch was sized for whatever crop yielded the most calories per acre, because nothing else would keep a family alive on it. **A rent system that extracts grain from smallholders and leaves them to feed themselves off the remainder selects, automatically and without anyone intending it, for maximum population on minimum dietary diversity.** The land system did not merely fail to prevent the famine. It manufactured the specific exposure the famine exploited.

The note presented

The blight caused partial loss in 1845, near-total failure in 1846, and struck again in 1848.

Excess mortality is a reconstruction and not a count, and the figures must be given with their estimators. Around one million is the standard figure; Mokyr's range is 800,000 to 1,500,000. Mokyr and Ó Gráda's later work attributes roughly half the deaths directly to malnutrition and associated illnesses, dysentery and fever principal among them, and roughly half to indirect effects including the collapse of the informal support networks by which rural communities normally absorb a bad year. Between one and one and a half million people emigrated in the crisis; as many as a quarter of a million may have left in a single year. The census of 1841 returned 8,175,124; the census of 1851 returned 6,552,385.

To that must be added what the arrangement did while the note was being called, which Modules 5 and 6 established and this module only totals. The Gregory clause of 1847 made relief unavailable to anyone occupying more than a quarter of an acre, constructing by statute a position in which holding land and eating were mutually exclusive. Something over a quarter of a million people were evicted between 1849 and 1854, with around two hundred thousand holdings obliterated and estimates of half a million leaving their holdings altogether. And food continued to leave the country under military escort, because it was owned, and because the obligation the grain existed to discharge did not fail when the potato did.

The instalments after the crisis

Here Ireland departs from every other famine in this collection, and the departure is the more important half of the metabolic accounting.

The population did not recover. It fell, continuously, for sixty years after the crisis had passed: 6,552,385 in 1851, 4,390,219 in 1911. Something in the order of six million people left the island between 1841 and 1900. In a century when the population of Europe roughly doubled and the world's exploded, Ireland's halved — and the population of the island today, on both sides of the border together, remains below the figure of 1841.

That is not famine. Nobody was starving in Kerry in 1885. What happened was a permanent structural adjustment of the population to the land under a new agricultural regime: subdivision replaced by impartible inheritance, one son taking the farm and the rest going; late marriage and high rates of permanent celibacy; a shift from potato smallholding to larger units running cattle and dairy for the British market. Every

generation exported its surplus, and the export was so routine that it was built into family formation itself.

The metabolic note in Ireland was not paid in a single instalment. The crisis of 1845–52 paid the principal in bodies. The following sixty years paid the balance in departures. In human terms the difference between the two is enormous and should never be elided — a man who takes ship for Boston has not died. In the demographic accounting the two are indistinguishable, and a study that closes the metabolic ledger in 1852 will record about a million and miss the other several million entirely.

The ledger of violence

Set out from the pouring of the floor to the end of the order, with ranges where the record disagrees and the estimators named.

1798. Between ten and fifty thousand dead in four months. Dublin Castle's contemporary estimate was around twenty thousand; Louis Cullen's reconstruction from Wexford's population loss supports Thomas Bartlett's inference of about ten thousand island-wide; thirty thousand is commonly advanced in the general literature; contemporary accounts reach fifty. A list of crown soldiers killed, compiled for a relief fund, carries five hundred and thirty names.

The coercion century. Something in the order of eight hundred people transported to New South Wales under the Insurrection Act and its successors, aside from ordinary convict transportation. Over nine hundred and fifty imprisoned without trial in 1881–82 alone, under a Liberal government. Newspapers suppressed, juries packed, districts proclaimed, and the ordinary law suspended for a substantial fraction of the century.

The Famine. Around one million dead, on a range of 800,000 to 1,500,000. One to one and a half million emigrating in the crisis. Over a quarter of a million evicted in the five years after it.

The long departure. Around six million emigrants between 1841 and 1900.

The revolution. Here the counting has recently become precise, and the precision is worth having. Four hundred and eighty-five people were killed in the Easter Rising. The *Dead of the Irish Revolution* project of Eunan O'Halpin and Daithí Ó Corráin logs 2,850 killed between 1917 and the end of the War of Independence in July 1921, of whom 919 were civilians — some 39 per cent of the total. The British executed twenty-four IRA volunteers over that conflict. Around three hundred more died in communal violence in the north between July 1921 and June 1922, where nearly eighty per cent of the fatalities were civilians. The University College Cork fatalities project counts 1,485 violent deaths across the island in the Civil War between 28 June 1922 and 24 May 1923, of whom 371

were civilians, with something under eight hundred National Army dead and 438 anti-Treaty dead; the Free State carried out eighty-one official executions and its troops summarily executed at least a hundred and thirty prisoners in the field. Combining the studies gives about 4,850 confirmed killed in the whole Irish Revolution between 1916 and the end of 1923.

Now set two lines of that ledger beside each other and stop.

The entire revolutionary period — the Rising, the executions, the ambushes, the reprisals, the Black and Tans, the burning of Cork, the Civil War, the eighty-one executions and the hundred and thirty shot without trial — cost something in the order of five thousand lives.

The Famine cost something in the order of a million.

The arithmetic is on the page. The sum belongs to the reader.

Was it forgotten?

The framework's expectation is that time naturalises. The arrangement stops being a thing that was done and becomes the way the world is, and the violence at its origin fades out of the account not by suppression but by irrelevance, until a peasant in the fifth generation experiences a settlement imposed by force as the ordinary shape of things.

In Ireland that process completed for one population and failed for the other, and the pattern of the failure is this module's contribution.

It completed for the beneficiaries, thoroughly. The Ascendancy of 1800 did not experience its position as the residue of the Cromwellian and Williamite confiscations; it experienced it as property, and property is the least remarkable thing in the world. And the Ulster tenant farmer of 1912 pledged himself in the Solemn League and Covenant to defend *our cherished position of equal citizenship in the United Kingdom* — a phrase that describes as a birthright a position created by the plantation articles of 1609, which had required his ancestor to build a bawn, keep arms, muster twice yearly, and not lease to the mere Irish. Three centuries had converted a set of tenure conditions into an inheritance. That is naturalisation working exactly as the framework says it works, and it is worth saying plainly that this does not make his claim false. It was authentically his world.

It failed for the dispossessed, and failed spectacularly. In 1880 the confiscations of the 1650s were live politics. Michael Davitt and the Land League argued from Cromwell; the phrase "the land of Ireland for the people of Ireland" rested on a claim about the seventeenth century that ordinary tenant farmers in Mayo could state and did. A conquest two hundred and thirty years old was still being litigated, in public, by people with no documents, and the litigation succeeded.

Why? **Naturalisation of a conquest requires one of three things, and Ireland had none of them.** The conquered must be removed from the ground; or absorbed into the conquering population; or deprived of the institution that carries the counter-account across the generations.

They were not removed. The dispossessed remained on the same land as tenants of the dispossessors, which meant that the memory had a continuous physical referent: a man could stand in a field and be told whose it had been. A conquest that clears the ground leaves nothing for the story to attach to. A conquest that keeps the population as its labour force has installed the witness alongside the evidence.

They were not absorbed. And here is the finding the whole study has been building toward. The plantation conditions of 1609 required the undertaker to seat British tenants around his bawn and forbade him to alien or demise any part of his portion to the mere Irish. That clause was drafted for one purpose: to prevent what had happened to the Anglo-Norman settlement, whose grantees had married in, taken Irish fosterage and Irish law, and whose allegiance the crown had denounced as decayed in the Statutes of Kilkenny in 1366. It worked. The Ulster settler did not become Irish.

But a boundary is not one-directional. The instrument that stopped the settlers from becoming Irish equally stopped the Irish from becoming settlers, and therefore preserved intact the line across which a grievance could be handed down. The crown had built a wall to protect its garrison's identity, and the wall preserved its victims' claim for three hundred years.

And they were not deprived of a carrier. The Catholic Church survived the penal century, was endowed by the state from 1795 for reasons of its own, and — as Module 4 established at length — could not be steered by the hand that paid it. It carried the counter-account, and the British Treasury helped fund the seminary that trained its carriers.

The proof is inside the case, and it is as close to a controlled experiment as history offers. The Anglo-Norman conquest of 1169–71 naturalised completely: within five or six generations its grantees were, in the crown's own words, forsaking the English language, manners and law, and living according to the fashion of the Irish. The seventeenth-century conquest did not naturalise at all. Same island, same mechanism of time, opposite outcomes — and the variable that differs is absorption, which the second conquest had deliberately engineered out of its own settlement.

The labour, which is hardest to count

One item resists the ledger entirely and should be named rather than quantified.

Across a hundred and twenty years, a tenantry holding mostly at will paid rent on land whose improvement they were structurally discouraged from undertaking, because what they built became their landlord's and could raise their own rent. They paid tithe to a church a tenth of them attended, until 1869. They paid a county cess levied on occupiers by a body of proprietors who set it and spent it and often contracted the work to themselves. They paid the poor rate. And after 1885 those who purchased paid an annuity to the British Treasury on a title British statute had made.

None of that appears in any mortality figure. It is the ordinary, undramatic, entirely lawful transfer that constitutes what an extraction system actually is, running every quarter day for six generations, and it is far larger in aggregate than anything in the violence column. A grim accounting that counts only bodies will report the exceptional and miss the arrangement.

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Reading the Irish accounting against the framework

First, metabolic debt should be measured as portfolio concentration rather than headcount, and the concentration is set by the extraction system rather than by the land. The mechanism as usually stated is that coordination lifts a population above the unassisted carrying capacity and that disruption calls the note. Ireland does not fit that description and the best econometric work says so: growth had already decelerated before 1845, the pre-Famine population had not made the country more vulnerable to subsistence crisis, and the people most at risk were healthier and longer-lived than the European poor. What they had was not too little food but **one crop, one variety, two million acres, and nothing below them to fall to**. The blight struck all Europe and destroyed only Ireland. **The question to ask of any order is therefore not how many people it supports above the baseline, but how many independent food sources those people stand on and how many rungs below their present diet exist** — and then to ask what in the arrangement produced that answer. In Ireland the rent system produced it, by taking the grain and leaving the smallholder to feed himself off whatever yielded most calories per acre. An extraction system that takes the marketable crop and leaves subsistence to the extracted will generate monoculture at the bottom every time, without anyone choosing it.

Second, the note need not be paid in mortality, and an accounting that closes at the end of the crisis will understate it by a factor of several. Ireland's crisis killed about a million between 1845 and 1852. The sixty years that followed removed several million

more by emigration, under a wholly reorganised agrarian regime of impartible inheritance, late marriage and permanent celibacy, in which every generation exported its surplus as a matter of routine and the island's population fell continuously until the twentieth century. **Where an open exit exists, the metabolic note is paid in departures over generations rather than in deaths over years, and the demographic accounts cannot tell the two apart** — though everything else can, and the distinction is not a small one for the people concerned. A study should therefore run the population series for at least two generations past the crisis before closing the ledger.

Third, and this is the finding that ties the study back to its own opening: naturalisation of a conquest requires that the conquered be removed, absorbed, or deprived of the institution that carries the counter-account, and a settlement designed to prevent the settlers' assimilation will preserve the conquered's claim indefinitely. The framework holds that a built order becomes the furniture of reality, and Ireland shows it becoming exactly that for the settler population — a man in 1912 defending as *equal citizenship* a position his ancestor received under conditions requiring him to keep arms and muster twice a year. For the dispossessed the process never began, and the reason is structural rather than cultural. They stayed on the ground, so the story kept its referent. They kept a church the state could not steer, so the story kept its carrier. And they were kept separate — by the plantation conditions of 1609, drafted expressly to prevent a repetition of the Anglo-Norman settlers' absorption into Irish life. **The wall a conqueror builds to keep his own people from becoming native is the same wall that keeps the native from becoming his, and it will transmit the grievance across every generation it protects him for.** The case supplies its own control: the conquest that permitted absorption vanished into the population within five generations, and the conquest that forbade it was still being argued about after ten.

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A note on sources. Population figures are census returns: 8,175,124 in 1841, 6,552,385 in 1851, 4,390,219 in 1911, against estimates of two to two and a half million around 1700 and 6.8 million in 1821. Potato yields of four to six tons an acre, caloric provision of up to four thousand a day, roughly two million acres under the crop, and around three million people largely or wholly dependent on it are as given in the standard accounts and in the EH.net encyclopedia article on the Famine; the figure of three million is Ó Gráda's and is widely reproduced.

Contested scholarship, reported as such. Joel Mokyr's argument of 1980 that pre-Famine population growth had not made Ireland more vulnerable to subsistence crisis, and the recent work confirming it, are paraphrased and credited; the Malthusian reading of the Famine remains argued for by other historians and the dispute is live. Mokyr's mortality range of 800,000 to 1,500,000 is his. The division of deaths roughly equally between direct malnutrition and disease on the one hand and the

breakdown of informal support networks on the other is Mokyr and Ó Gráda's (2002). Ó Gráda's findings that the potato people were healthier and longer-lived than the European poor and that they had nothing to trade down to are paraphrased from his work of 1994. Peter Solar's observation that the blight caused excess mortality in the Low Countries and parts of Germany without producing anything resembling Ireland's catastrophe is credited to his 1997 work. Deaths and emigration in the crisis, evictions of over a quarter of a million between 1849 and 1854, and around two hundred thousand holdings obliterated are as given in Module 5 and vary between authorities.

Revolutionary-period figures are from recent systematic projects and are the most precise in the study. The 485 killed in the Easter Rising is Glasnevin Cemetery's count. The 2,850 killed between 1917 and July 1921, of whom 919 were civilians, and the separate figure of 2,346 for the War of Independence period, are from Eunan O'Halpin and Daithí Ó Corráin's *The Dead of the Irish Revolution*. The Civil War figures — 1,485 violent deaths across the island between 28 June 1922 and 24 May 1923, 371 of them civilians, 438 anti-Treaty dead, and just under 800 National Army dead including deaths from accident and illness — are from the University College Cork Irish Civil War Fatalities Project, drawing on James Langton's earlier study of National Army casualties. The eighty-one official Free State executions, the at least 130 prisoners summarily executed in the field, and the twenty-four IRA volunteers executed by the British in 1919–21 are as given in the reference literature. The approximately 300 to 350 killed in northern communal violence between July 1921 and June 1922, with nearly eighty per cent civilians, is as given by the same projects, which note it as a gap in their own coverage. The combined figure of about 4,850 for 1916 to the end of 1923 is the sum of these studies as reported in the *Irish Times* coverage of them, and is described by those studies as confirmed deaths rather than as a ceiling.

The 1798 range and its estimators are as set out in Module 1. The figure of some eight hundred transported under the Insurrection Act and its successors, and of over nine hundred and fifty imprisoned under the Act of 1881, are approximate and as given in the secondary literature on coercion. The claim that the island's present population remains below the 1841 figure is correct on the most recent censuses of both jurisdictions taken together. The account of post-Famine impartible inheritance, late marriage and high permanent celibacy is the standard finding of the demographic literature and is stated qualitatively.

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Part of the collection Patterns of Power. *Tested, never revealed.*

MODULE 12 · CONVERGENCE AND DIVERGENCE

For the Better Securing the Dependency

Module 12 · Convergence and Divergence — what the Irish case shares with the collection, what it does not, and the strongest case against reading it this way at all.

The same words, twice

In 1719 the British parliament enacted a statute entitled *An Act for the better securing the Dependency of the Kingdom of Ireland upon the Crown of Great Britain*. Forty-seven years later, facing an identical argument from a different set of colonists, it enacted *An Act for the better securing the Dependency of His Majesty's Dominions in America upon the Crown and Parliament of Great Britain*.

That repetition is the shortest available statement of what this module is for. The draftsman of 1766 had the Irish Act in front of him. He was not applying a general colonial theory to a new case; he was reaching for a text that already existed, because the problem had already occurred. Which raises the question the collection has to answer about Ireland, and the answer is not the one the corpus's habits predict.

Ireland is not a specimen. It is substantially the workshop

The collection's default assumption, built up across studies of Senegal, Vietnam, Buganda, Nigeria, Rhodesia and the rest, is that colonial instruments flow outward: devised at the metropole, applied at the periphery. Ireland inverts the vector, repeatedly, and the inversion is this study's largest single contribution to the corpus.

The plantation as an instrument — escheated land regranted on written conditions requiring fortification, imported tenants and a bar on leasing to the natives — was drafted for Munster in the 1580s and refined for Ulster in 1609, and the men who wrote and worked it were among those who went on to Virginia.

The declaratory statute asserting a metropolitan parliament's right to bind a dependency was written for Ireland in 1719 and reused for America in 1766.

The armed national constabulary — barracked away from the population it policed, centrally commanded, centrally paid, recruited from the governed and posted out of its

home districts — was built by Peel in Ireland between 1814 and 1836, existed nowhere in Britain, and became the model British administrators reached for whenever they needed a police in a colony. The men who had served in it were sent to run them.

The coercion statute with an enacted, dated, renewable exception, which allows a state to suspend the ordinary law while continuing to claim that the ordinary law is the rule, was perfected in Ireland across a century of Insurrection, Peace Preservation and Crimes Acts, and became a standard item of imperial administration.

Land purchase financed by state credit — the sovereign advancing money to convert tenants into freeholders and taking repayment by annuity — was worked out in Ireland between 1885 and 1909 on a scale nobody had attempted, and became a template.

And **partition**, adopted in 1920 to resolve a veto held inside the metropolitan governing coalition rather than a dispute between the parties on the ground, was applied again within a generation in India, in Palestine, and later in Cyprus.

A study that reads Ireland as one more instance of the colonial pattern has the sequence backwards. A great deal of the pattern was drafted here, tested here, and exported from here — which is why the collection's Irish findings return more corrections to the framework than a late case ordinarily should.

Where the structure holds

With that said, the structure holds, and holds in recognisable form.

There is a floor of force, poured in the seventeenth century and re-poured in 1798. There is a settlement dividing the conquered wealth among the armed, transmitted by law. There is a robe over the floor, addressed to the audience whose belief was actually needed. There is a seam, an interpreter class, and a fight over who occupies it. There are the two dials of force and exit setting what compliance is worth at the bottom. There is formation, and extraction sorted by position, and an elite chain in which every man defending his own place defends the whole by default. And there is change arriving from the hierarchy's side — fracture, exhaustion, and a surplus elite the order could not seat.

There is also the recursion, in an unusually clean form. The Ascendancy of 1800 was a naturalised former conquest; beneath it lay the Old English, themselves a former conquest so completely absorbed that by 1366 the crown was legislating against their marriages and their language; beneath them the Gaelic lordships, which were not a first innocent order either. Nobody in this case arrived at a baseline.

Where it diverges, named precisely

Four differences are real and must not be flattened, because each of them is where the corpus learns something.

There is no ocean. Every other modern case in the collection has a seam held open by distance, and the colonial bend section of the method assumes it. Ireland deletes the variable — a night's crossing, a shared press, a hundred members in the Commons — and the seam holds anyway, through a famine that was officially reported as it happened. What the case establishes is that distance was a proxy: the operative variable is the gap between the governed population and the electorate whose consent the order actually checks. That gap can exist inside a single kingdom, and where it does, the same result follows with no water at all.

The subject population sat in the metropolitan legislature. This is not a small difference and the study has refused throughout to minimise it. It made the robe legal-rational rather than civilisational, and a legal robe is a public, printed, citable object that cannot be defended the way a doctrine can. So the opposition was led, in every generation and from both confessions, by barristers holding the ruler to wording the ruler had written — Molyneux, O'Connell, Butt, Redmond, Russell, Carson. And it made the residue accumulate rather than needing to be maintained.

The extraction reversed. No other case in the collection ends with the metropole spending very large sums to liquidate its own proprietary class. Between 1885 and 1909 the British Treasury bought out the settlement it had spent three centuries defending, at a twelve per cent premium, because the Land War had made collecting a rent cost more than the rent.

There were three populations, not two. The Presbyterian tenant farmer was inside the settlement as a Protestant and outside it as a dissenter, under the sacramental test until 1780. He founded the United Irishmen in 1791, was disarmed by the crown in 1797, fought at Antrim and Ballynahinch in 1798, held a saleable tenant right the southern cottier did not, agitated over land beside Catholics in the 1870s, and signed a Covenant against Home Rule in 1912. No two-column account of this case survives contact with him.

Against three cases in the collection

Galicia, immediately preceding, found that the claimant rather than the gains is the ratchet. Ireland confirms the claimant half eleven times over — Catholic Committee, Catholic Association, Repeal, Tenant League, Home Rule League, Land League,

National League, United Irish League, Irish Party, Sinn Féin — each proscription producing a successor within a few years. And it adds the case where the gains ratcheted too, and isolates the reason: gains that took the form of *standing* were withdrawn, comprehensively, in 1829 and repeatedly thereafter, while gains that took the form of *registered title* were not, because reversing them would have required confiscating three hundred thousand freeholds rather than passing a bill.

America and Rhodesia supply the comparison the Landscape predicted and the study can now settle. Three settler factions made Molyneux's argument — the liberties of Englishmen belong to Englishmen wherever they are — and reached three outcomes. The American colonists, a large majority in their own country with no hostile population beneath them requiring a metropolitan garrison, separated and stayed separated. The Irish Ascendancy, perhaps a tenth of the population and holding most of the land, took a legislature in 1782 and sold it in 1800 three years after the majority rose. The Rhodesian settlers, a still smaller fraction, declared unilaterally in 1965 and held for fifteen years. **A settler faction's capacity to separate from its metropole is inversely proportional to its dependence on the metropole's floor, and that dependence is a demographic ratio it cannot change.** The argument was identical in all three cases; the arithmetic beneath it was not.

The francophone and Japanese cases show a seam held open by distance and language, and the collection built its account of the colonial bend on them. Ireland is the control that shows what the seam actually runs on. Where those cases required the withheld despatch and the censor, Ireland required neither — but it required a Treason Felony Act calibrated to lower a penalty in order to raise a conviction rate, and packed juries, because when the two ends of the seam are living in the same jurisdiction the contest moves from the facts to the trier of fact.

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The strongest case against reading it this way

The discipline of this collection requires the opposing position to be stated at its full strength, in the terms its own defenders would use, before anything is said in reply. Here it is, and it is not weak.

Ireland was not a colony, and this study's own evidence establishes it. It sent a hundred members to the Commons, twenty-eight peers and four bishops to the Lords. Its people were subjects of the same crown with the same standing before the same judges, and they used that

standing constantly and successfully. A Catholic tenant could sue his landlord and win. An Irish barrister could become Lord Chief Justice of England, and one did.

The reforms were real, they were large, and — this is the point the structural reading obscures — they were not extracted by any military defeat. The Church of Ireland was disestablished in 1869. Rents were placed under judicial control in 1881. The grand juries were abolished in 1898 and replaced by elected councils. The franchise was extended four times. Old age pensions arrived in 1908. And between 1885 and 1909 the British Treasury advanced sums on the scale of a hundred million pounds to convert an Irish tenantry into freeholders — a transfer of landed property to a peasantry unmatched anywhere in Europe outside a revolution, accomplished by statute, with compensation, and paid for substantially by the British taxpayer. Name the empire that did as much for a subject population. The reason none can be named is that Ireland was not one.

The Famine was a biological catastrophe. Phytophthora infestans was novel, and it struck the whole of Europe. The economic doctrine under which the relief was administered was held across the British political spectrum and by most educated opinion in Europe, and no state in 1847 possessed an administrative machine capable of feeding three million people for three years. To read the Famine as an instrument of the arrangement is to attribute to nineteenth-century ministers a capacity and an intention that neither the record nor the technology supports.

The coercion was directed at something. Agrarian secret societies maimed cattle, burned houses, and killed people — land agents, process servers, tenants who took an evicted neighbour's farm. The Phoenix Park murders killed a Chief Secretary and an Under-Secretary with surgical knives. A state that did not respond to that would not be a liberal state but an absent one.

And partition was not an imposition. It was the application of precisely the principle the nationalists themselves advanced. If a majority in Ireland was entitled not to be governed from Westminster without its consent, a compact population of a million people in the north-east was entitled not to be governed from Dublin without theirs. They said so in 1912 with nearly half a million signatures and they meant it. To call their claim sectarian intransigence while calling the identical claim in the south self-determination is to have two principles.

Finally, look at what independence produced. The Free State was poorer than the United Kingdom it left and remained so for fifty years. It exported its people at rates comparable to the nineteenth century. It operated a literary censorship of remarkable severity, gave the Catholic Church a special position in its 1937 constitution, and ran a system of industrial schools and Magdalen laundries whose record is now a matter of state apology. And its Protestant minority fell by a third between 1911 and 1926.

That is the case, and every clause of it is either true or seriously arguable.

The reply, without flinching

Take the achievement first, because it is real and the study has already recorded it. The reforms were not extracted by military defeat; Wellington said so in 1829 and the Cabinet's nine-to-five vote for coercion on 12 May 1921 says so at the other end. The land settlement was the most generous transfer of property to a peasantry accomplished anywhere in Europe without a revolution, and it was accomplished with compensation, through courts, under statute. Modules 6, 8 and 9 establish it and nothing in this study argues it away. An account of British Ireland that cannot hold that fact in one hand is not an account.

And every one of those reforms is dated in Module 9 to the quarrel at Westminster that produced it, which is not a slur, because the men who passed them said so themselves. Emancipation arrived when Wellington judged the alternative to be civil war and the arming of one part of the population against the other, and its price — extracted the same day — was the removal of four-fifths of the Irish electorate. The tithe settlement arrived when O'Connell's thirty-four seats made Melbourne's ministry. Disestablishment arrived because Gladstone needed an issue on which to reunite a Liberal Party broken by the 1867 Reform fight, and he weighed it in those terms in writing in December 1867. The 1884 franchise, which transformed Irish politics more than any other single measure, was a by-product of an English argument about English farm labourers. The order was capable of reform and its reforms tracked the internal requirements of British factions, and those two statements are not in tension; they are the same statement.

On representation, both facts stand and neither cancels the other. A hundred members of six hundred and fifty-eight is real representation. It decided the government of the United Kingdom twice. And it could not, at maximum unity, prevent the suspension of a single liberty — which is why habeas corpus, jury trial and the free press were suspended in Ireland by statute on a roughly decadal cycle for a century. Ireland had every English liberty and held the lock on none of them.

On the Famine, the exogenous shock is granted completely. The blight was novel, it struck all Europe, and no government of 1847 could have fed three million people for three years. What the arrangement supplied was not the pathogen but the exposure: three million people on one crop, one variety, roughly two million acres, and — in Ó Gráda's finding — nothing below them to fall to, because they were already eating the cheapest food that exists. That configuration was not natural and was not chosen by the people in it. It was what a rent system produces when it takes the marketable crop from smallholders

and leaves them to feed themselves off the remainder. The blight struck the Low Countries and Germany too, and nowhere else was the catastrophe repeated. And the quarter-acre clause was not a doctrine of political economy held across Europe; it was a provision moved by an Irish landlord member which made holding land and receiving relief mutually exclusive, and under which people came back from the workhouse to find their houses levelled.

On coercion, the violence being answered was real — agrarian secret societies killed and maimed, and the Phoenix Park murders were what they were. And the instrument reached for was a statute that reduced three capital offences to felonies in order to *raise* the conviction rate, because juries would not hang a journalist; and packed panels; and the internment without trial of nine hundred and fifty people including the leader of the parliamentary party, by a Liberal government, in the same session as its most generous land Act. Against which: the Ulster Volunteer Force raised a hundred thousand men, imported German rifles at Larne, and constituted a provisional government, and nobody was prosecuted. The statutes were identical. The enforcement was not.

On partition, the principle is genuine and this study will not dismiss it. A million people in the north-east had exactly the standing they claimed, and a settlement that ignored them would have been an imposition of the kind the nationalists were objecting to. The study's finding is not that the claim was invalid but that its *timing and shape* were determined elsewhere: Smuts argued in June 1921 that with the northern parliament established the coercion-of-Ulster problem could be set aside and the government freed to deal with the rest of Ireland, and the Act creating it was passed in 1920, before negotiations opened. The border was then drawn to include a third of a population that had not consented to be governed from Belfast, and the principle was not extended to them. Both halves are on the page.

On what independence produced, the count is given in full. The Free State was poorer, exported its people, censored its literature, wrote a special position for one church into its constitution in 1937, and ran institutions whose record its own state has since apologised for. And the southern Protestant population fell by 33 to 34 per cent — around 106,000 people — between the censuses of 1911 and 1926, against a 2 per cent fall in the Catholic populations north and south and a 2 per cent rise among northern Protestants, where over the preceding thirty years the two southern communities had declined at almost identical rates.

That figure is argued over now, by named historians, and the arithmetic belongs on the page. Peter Hart in 1996 wrote that what happened in southern Ireland between 1920 and 1923 might be termed ethnic cleansing, and put the number leaving at more than fifty-three thousand. David Fitzpatrick, Andy Bielenberg and Barry Keane have since found

much of the fall attributable to the withdrawal of the British military and administrative establishment and their families, to war deaths and influenza, to the Ne Temere decree's effect on mixed marriages, and to the change of administration — with Bielenberg estimating non-voluntary migrations at between two thousand and sixteen thousand for 1919–23, and Keane concluding for West Cork that the surprise is not how many left but how many remained. Gemma Clark places targeted violence among several causes. The manuscript of the 1926 census remains unpublished, which is why the question is argued rather than settled.

The position of the people who wrote this

The framework's central claim is that a position fixes what a person can see, what he counts as a benefit, and what it would cost him to think otherwise. That claim has to include the people holding the pen, or the whole thing falsifies itself.

This study was written with a hindsight no actor in it ever had, from a vantage none of them could occupy, by an author and a model who have never had to decide anything under their constraints — never had to choose, in the spring of 1847, between a doctrine believed by every educated person one knew and an improvisation no state had attempted; never had to sit at the Curragh and decide whether to march north; never had to weigh a Treaty against a civil war in a room in London in December 1921 with a deadline in the morning.

And it was written into a particular difficulty. Most cases in this collection are doors into rooms a reader cannot otherwise enter, precisely because nothing of his is implicated. This one is not. For a British or an Irish reader it is the room he already lives in, and the routing that works everywhere else is unavailable. There is no third party's colony here to hand him the tool with.

So the only thing this study could do was the thing it has tried to do throughout: date every Act to the fight that produced it, name every estimator, give every contested figure as a range with its disputants, put the strongest opposing case at its full strength rather than a convenient version of it, and count the cost column on every side, including the sides that a reader coming from either direction would rather not have counted.

The arithmetic is on the page. The Statutes of Kilkenny and the plantation articles; the yeoman's muster and Cornwallis's letters; the hundred seats and the coercion Acts; the veto refused and the seminary funded; the quarter-acre clause and the ships under military guard; the twelve per cent bonus and the freeholds it bought; the nine-to-five vote and the King's speech in Belfast; a million in the Famine and about four thousand eight hundred

and fifty in the revolution; a third of the southern minority gone by 1926 and four historians arguing over why.

The sum belongs to whoever is reading.

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Reading the Irish case against the framework, in the last instance

The corpus's vector needs reversing for this family of instruments. The collection has generally treated the metropole as the workshop and the colony as the site of application. For the plantation, the declaratory statute, the armed national gendarmerie, the renewable coercion Act, state-financed land purchase and partition, Ireland is where they were drafted, and the periphery is where they were subsequently used. Any study in this collection that treats one of those six as an imposition invented in London should check the Irish precedent first, and will usually find both the instrument and, often enough, the men.

And the case establishes the terms on which the collection's other findings should be read. Distance was never the mechanism of the seam; the gap between the governed and the consenting electorate was, and Ireland proves it by removing the water and holding the result. A settlement can be made of jurisdiction rather than acres, and its fiction is incorporation, whose signature is a stated fraction. A grant's consideration can be converted after the fact by building a substitute rather than confiscating a retinue. An apex can dismantle its own default by paying its beneficiaries to leave, one defensible measure at a time. Contestability requires a veto over the removal of counterweights and not merely their presence. Residue survives in proportion to how hard it is to un-give, and title is the most durable form. An armed movement can compel a settlement without authoring one. Metabolic debt is portfolio concentration rather than headcount, and the extraction system sets it. And a wall built to keep a garrison from going native will keep the conquered's claim alive for as long as it protects him.

Nine corrections from one case is more than a late study should return, and the reason is the one this module opened with: the collection has spent twenty-odd cases studying the applications, and this one is nearer the drafting table.

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A note on sources. The titles of the Declaratory Act 1719 (6 Geo. I c. 5) and the American Colonies Act 1766 (6 Geo. III c. 12) are quoted from the enacted texts. All other primary material relied on in

this module — the Statutes of Kilkenny preamble, the Ulster plantation conditions of 1609, Molyneux, Grattan, Wellington's speech of 2 April 1829, the Articles of Union, the Insurrection Act 1796, Abercromby's general order, Cornwallis's correspondence, the Gregory clause, the Childers Commission finding, Stanley's letter, the Ulster Covenant, and the parliamentary record — is cited in the module in which it is first used and is not re-cited here.

The southern Protestant population figures are the censuses of 1911 and 1926: a decline of 33 to 34 per cent, given in the literature as around 106,000 people, against a fall of about 2 per cent in the Catholic populations of both jurisdictions and a rise of about 2 per cent among northern Protestants over the same period, and against declines of about 20 and 19 per cent respectively for the two southern communities over the preceding thirty years. The interpretation is genuinely contested and the disputants are named in the text: Peter Hart's 1996 characterisation and his figure of more than 53,000 leaving between 1920 and 1923; David Fitzpatrick's, Andy Bielenberg's and Barry Keane's subsequent work attributing much of the decline to the withdrawal of the British military and administrative establishment, war deaths, influenza, the Ne Temere decree and the change of administration; Bielenberg's estimate of between 2,000 and 16,000 non-voluntary migrations in 1919–23; Gemma Clark's placing of targeted violence among several causal factors; and Keane's finding for West Cork of a decline of approximately 1,200 for non-economic reasons with most native Protestants remaining. The manuscript returns of the 1926 census have not been published, which is the reason certainty is not available and is noted as such by participants on both sides of the argument.

The comparative claims about America and Rhodesia rest on the completed studies in this collection and on the settler-population ratios given there, and are stated as a structural proposition to be tested rather than as a demonstrated finding; the Rhodesian case in particular turns on factors this study has not examined. The characterisation of Irish personnel and Irish precedent in the development of colonial policing, plantation and partition is well attested in the imperial-history literature and is stated qualitatively; no proportions are asserted. The Free State's censorship legislation, the 1937 constitutional provision on the special position of the Catholic Church, and the state apologies concerning industrial schools and Magdalen institutions are matters of public record and are stated without elaboration, being outside this study's period.

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Part of the collection Patterns of Power. *Tested, never revealed.*